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870 District, New York

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Congress of the United States
House of Representatives
Washington, DC 20515

October 16, 1997

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Suite 715
Washington, D.C. 20423

Dear Secretary Williams:

Please accept for filing in, Finance Docket 33388, CSX Corporation et. al. Control and Operating Leases/Agreements, Conrail Inc. et. al., the enclosed original and ten copies of the Petition for Intervention of the following members of the U.S. House of Representatives: Honorable Jerrold Nadler, Honorable Christopher Shays, Honorable Charles Rangel, Honorable Ben Gilman, Honorable Major Owens, Honorable Thomas Manton, Honorable Maurice Hinchey, Honorable Edolphus Towns, Honorable Carolyn B. Maloney, Honorable Michael Forbes, Honorable Sam Gejdenson, Honorable Nydia Velazquez, Honorable Floyd Flake, Honorable Charles Schumer, Honorable Gary Ackerman, Honorable Eliot L. Engel, Honorable Louise Slaughter, Honorable John LaFalce, Honorable Nita Lowey, Honorable Michael McNulty, Honorable Nancy Johnson, Honorable Rosa Delauro, Honorable Barbara Kennelly and Honorable James Maloney.

Also enclosed please find a 3.5" diskette in Microsoft Word 6.0 for Windows format containing the text of the petition and the supporting certificate.

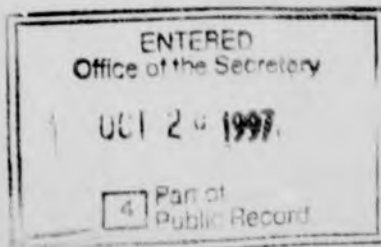
Also enclosed is an eleventh copy of these documents and a self-addressed stamped envelope as we would appreciate receiving a copy of this submission that has been stamped as having been received by your office.

We have served a copy of this letter and this submission on all parties of record. If you have any questions concerning this filing please contact me or Brett Heimov of my staff at (202) 225-5635.

Thank you for your consideration.

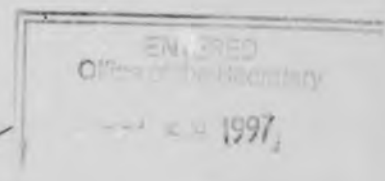
Sincerely,

Jerrold Nadler
Jerrold Nadler
Member of Congress



PRINTED ON RECYCLED PAPER

182665
JUDICIARY COMMITTEE
SUBCOMMITTEES
RANKING MEMBER
COMMERCIAL AND
ADMINISTRATIVE LAW
CONSTITUTION
TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE
SUBCOMMITTEES
RAILROADS
SURFACE TRANSPORTATION
REGIONAL WHIP



BEFORE THE SURFACE TRANSPORTATION BOARD

Finance Docket No. 33388



**CSX CORPORATION AND CSX TRANSPORTATION, INC.
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
-CONTROL AND OPERATING LEASES/AGREEMENTS-
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION**

**INTERVENTION PETITION OF UNITED STATES REPRESENTATIVES
HONORABLE JERROLD NADLER, HONORABLE CHRISTOPHER SHAYS,
HONORABLE CHARLES RANGEL, HONORABLE BEN GILMAN, HONORABLE
BARBARA KENNELLY, HONORABLE NANCY JOHNSON, HONORABLE
CHARLES SCHUMER, HONORABLE ROSA DELAURO, HONORABLE MICHAEL
FORBES, HONORABLE SAM GEJDENSON, HONORABLE NITA LOWEY,
HONORABLE MAJOR OWENS, HONORABLE THOMAS MANTON, HONORABLE
MAURICE HINCHEY, HONORABLE ED TOWNS, HONORABLE CAROLYN B.
MALONEY, HONORABLE NYDIA M. VELAZQUEZ, HONORABLE FLOYD
FLAKE, HONORABLE GARY ACKFRMAN, HONORABLE ELIOT L. ENGEL,
HONORABLE LOUISE M. SLAUGHTER, HONORABLE JOHN LAFALCE,
HONORABLE MICHAEL MCNULTY, AND HONORABLE JAMES MALONEY
FOR INCLUSION OF A CROSS -HARBOR FLOAT OPERATION, THE BAY RIDGE
LINE OF THE LONG ISLAND RAILROAD, THE NEW YORK CONNECTING
RAILROAD, OAK POINT YARD, HARLEM RIVER YARD, THE NEW YORK
TERMINAL PRODUCE MARKET, 65TH STREET YARD AND FRESH POND
JUNCTION IN THE JOINT FACILITIES RAILROAD PROPOSED BY THE
PETITIONERS AS A CONDITION OF THE ACQUISITION REQUESTED**

The Intervenors are elected representatives of the people of the States of New York and Connecticut in the House of Representatives of the United States (hereinafter referred to as the Intervenors). Intervenors urge the Surface Transportation Board to approve the petition of Norfolk Southern and CSX (hereinafter referred to as the Petitioners) to acquire the assets of Conrail only subject to the modifications requested by the Intervenors, which are designed to provide improved and competitive rail services within the City of New York, in Westchester County and on Long Island, all in the State of New York, and in southern New England. The goal of this intervention is to enhance the economy of this region and to reduce dependence on trucks for freight services east of the Hudson River, thereby reducing unhealthful levels of particulate emissions originating from such traffic on highways passing through New York City. It is submitted that the modifications here demanded are reasonable and consistent with national transportation policy.

The Intervenors demand that the Petitioners' joint facilities carrier, to be created to operate prime lines and terminals in Northern New Jersey, be expanded to include a cross-harbor car float service across New York Harbor, the Bay Ridge Line from Bay Ridge, Brooklyn, New York to Fresh Pond Junction in Queens, New York, the New York Connecting Railroad from Fresh Pond Junction to Oak Point Yard in The South Bronx and the connecting tracks between Oak Point Yard and Harlem River Yard, including Harlem River Yard, in the South Bronx and to the New York Terminal Produce Market (Hunt's Point Market). The Board should set just and reasonable terms for the

use of this system. These terms should assure that both Petitioners and the Long Island Railroad freight service operator and any other responsible operator having a connection with this line have equal access to these facilities, and that all customers on these facilities and on the Long Island Railroad have equal access to the line haul services of Petitioners and of the Providence and Worcester Railroad, which has been granted trackage rights to Fresh Pond Junction from its southern terminal at New Haven, Connecticut. The Board has been given the specific power to condition its approval of any consolidation upon the inclusion of other railroads operating in the territory involved upon request, 49 U.S.C. 11324 (c). The Board has also been given jurisdiction and authority to require joint use of terminal facilities, including main line trackage, owned by a rail carrier, subject to reasonable terms and conditions, 49 U.S.C. 11102. To the extent that this petition would require the Board to order the sale of rail assets and operating rights from one carrier to another, such sale is authorized by 49 U.S.C. 10907(c)(1). Therefore, the demands of the Interveneing Congressional Representatives lie well within the Board's enumerated powers.

BACKGROUND

The City of New York, Long Island, Westchester and Connecticut have no modern rail service at this time. Conrail, the region's only line haul carrier, declined to undertake the difficult task of providing modern services to this region. A nineteenth century infrastructure was the major barrier to such services, blocking access to

innovations such as piggyback cars, high cube boxcars, auto-rack cars, jumbo tank cars, large hopper cars, etc. Correcting these obstructions required expensive capital investments. While investing in clearance improvements on lines to its New Jersey terminals, Conrail declined to participate in such investments East of the Hudson, instead deciding to divest itself of as much physical plant as possible in that territory.

Prior to 1962, the New York Harbor carfloats were the best access to the south from all points east of the Hudson, south of the Albany area. The most efficient of these services were operated by the New Haven Railroad, between Bay Ridge in Brooklyn and Greenville in Bayonne, N.J. This was a main line operation on which whole trains crossed the river between the New Haven and the Pennsylvania Railroads. In 1962, the New Haven entered receivership. Its trustee shut down most float operations, substituting service via Maybrook Yard over the Poughkeepsie Bridge. In 1968, the New Haven was made part of the Penn-Central, by decree of the Interstate Commerce Commission. Penn-Central was an east west carrier which planned to route all eastern freight through its Selkirk, N.Y. classification yards, Baltimore & Ohio R.R. Co. v. U.S. 386 U.S. 372, 380 (1967). It had no interest in maintaining float services, which were needed only for southern freight on which it had a short haul.

Upon acquiring the New Haven, the Penn Central terminated all float service immediately, and destroyed the Bay Ridge float bridges and all New Haven carfloat facilities in New York City. In 1954, 302,720 cars crossed via the Bay Ridge-Greenville floats. In 1962, when the service was downgraded, 226,004 cars crossed. The

last full year of service, 1967, saw 132,798 cars using the service, 367 per day.¹ With this abandonment, all service across New York Harbor for traffic originating beyond the waterfront ceased, cutting off the City, Long Island and Southern New England from effective access to the Nation's railroad system.²

Traffic detoured by the New Haven to the other Hudson River gateways, Maybrook via the Poughkeepsie Bridge, Selkirk and Mechanicville, did not stay on the rails. Between 1962 and 1967, cars passing over all other gateways dropped by 44,364 cars. Only 13,033 additional cars were handled via the New Haven's Maybrook route, Selkirk lost 20,348 cars and Mechanicville lost 37,049³. Thus, the New Haven's refusal to provide direct service via the floats denied shippers access to useable rail services. Subsequent to Penn Central's acquisition, the Maybrook gateway was closed. From that date on the rail system operators have refused to provide services required by the residents of the City and its eastern neighbors an area where 32 million people live. The de-acquisition of regional rail assets by class I freight carriers has created an unworkable hodgepodge of small operators who are incapable of providing required services. The Board must act in the national interest to correct this situation.

The economic consequences of this loss of rail service were extreme and immediate. Between 1968, when Penn Central took over the car floats and terminated that service and 1976, the City of New York lost 342,000 manufacturing jobs, one third

¹ Improving Intermodal Service in New England, the Selkirk Hurdle, The New England Regional Commission, Boston, Mass. June 1976, pg 12. (hereinafter "The Selkirk Hurdle").

² The Long Island Railroad, then a subsidiary of the Pennsylvania Railroad the only other operator with the capacity to serve more than limited dockside facilities on the East side of the harbor via car float closed its carfloat operation in 1963 transferring its eight remaining 19 car floats to the Bay Ridge operation Steel Rails to the Sunrise Ron Ziel and George Foster, Hawthorn Books, 1965 pg. 102.

³ The Selkirk Hurdle, id.

of such jobs which existed in the City in 1967. During that same period, the nation saw an 18.7% increase in such employment⁴. No factor can explain the enormity of the City's employment losses among industrial, warehouse, wholesale, harbor and other blue collar workers other than the degradation, and then the termination, of quality rail freight services to the City's freight users, who were, in fact, using those services up to the day they were terminated by the carriers. New York City's losses were in marked contrast to national trends. New York City's losses in such employment have, since these events, generally continued as a multiple of losses anywhere else in the United States. Indeed, while the Northeast has recovered from job losses of the early 90's, New York's recovery lags way behind.

Exhibit A -1 is a compilation of statistics from the Department of Labor tracing manufacturing job losses in New York City from 1958. Exhibit A-2 contains the national manufacturing employment figures for the comparable period. New York's manufacturing employment in 1962 was 990 thousand, while the national figure was 16.853 million. By 1976, New York's manufacturing employment had decreased to 620 thousand, while the national figure increased to 18.997 million.

The Final System Plan left in place the New York Dock Railway as the only carfloat operator in the Port of New York. That entity inherited a collection of float bridges on the Brooklyn waterfront and the right to use the remaining operating float bridge at Bayonne, New Jersey. It had no connection beyond its waterfront yards⁵. The

⁴ A.O. Sulzberger Jr., Job Growth Since 1976 is mostly in Manhattan The New York Times, (Oct. 6, 1981) pg. B3. The loss for all blue collar was over 600,000 jobs. The manufacturing job losses are traced in the Bureau of Labor Statistics Data Exhibit A hereto.

⁵ It connected only with the South Brooklyn Railway operated by the New York City Subways.

City and State, operating without the guidance or interest of any major rail carrier, attempted to improve the physical plant operated by New York Dock. Its improvements were slow and incomplete. When a connection was finally provided between the isolated New York Dock Railway and the Bay Ridge Line of the Long Island Railroad, with then theoretical access to Long Island and New England, the New York Dock Railway was financially unable to take advantage of the opportunity. No improvement was made to the line's float operation, which still used a nineteenth Century float bridge for this, now, through connection.

The New York Dock Railway is no longer in business. The current, undercapitalized, system is grossly inadequate. Conrail, a carrier with substantial market power, has been unwilling to share traffic with the current cross-harbor operation, essentially a bridge carrier which Conrail did not need for the traffic it desired -- i.e., high-rated long-haul east-west carloads accessible via its own line. It was reluctant to cooperate on service issues. Thus, the rail float operation has been unreliable and has failed to capture market share.

The rail share of New York City, Long Island and southern Connecticut intercity freight traffic is 2.8%⁶. Nationally, rail handles a growing 40% of such traffic. Not only does the economy of the City suffer from that anomaly, the Bronx, the Borough of New York City which must endure most of the truck traffic due to the location of the George Washington Bridge and the routes to Long Island and New England, has the

⁶ Intermodal Goods Movement Study: Task I Report New York City Rail Freight Access, New York City Economic Development Corporation, January 31, 1997 Page 1-9.

highest incidence of respiratory disease of any place in the nation⁷. Respiratory disease, including aggravated asthma, the major disease of the Bronx, has been convincingly traced to particulate exhaust from trucks⁸. National environmental policy, national economic policy and national defense policy each require that all agencies of government attempt to balance transportation mode choices to maximize efficiency for the carriers, maximize economic efficiency for the consumers of freight transportation services and minimize adverse environmental consequences of economic activity. None of these goals has been served by any prior order concerning the rail freight system of New York City and its Eastern environs. We believe that it is time for a change.

THE UN-SERVED MARKET EAST OF THE HUDSON

335,000 rail intermodal units arrived at New Jersey rail terminals in 1989. 68% were destined for the 11 million customers within the port district, east of the Hudson River⁹. This traffic moves by truck along with millions of additional tons of break bulk cargo unloaded from rail cars into trucks for shipment across the Harbor. While the region reports a total of 25,000 inter-regional truck trips a day¹⁰, 15,000 of these cross the George Washington Bridge alone¹¹.

⁷ Asthma Common and on Rise In the Crowded South Bronx, Adam Nossiter, New York Times, Sept 5, 1995 pg. 1.

⁸ An Association Between Air Pollution and Mortality in Six U.S. Cities, Dockerty et al, The New England Journal of Medicine, December 9, 1993, and Air Pollution and Daily Mortality in Philadelphia, Dr. Joel Schwartz, presented at the 1991 meeting of the American Lung Association, Anaheim, Ca. may 1991.

⁹ The NY/NJ Circumferential Corridor The Port Authority of NY & NJ June 1991, pg 8.

¹⁰ Id. pg. 4.

¹¹ Id. pg. 6.

The lack of adequate terminals for freight trains, and the physical lack of access of such trains to New York City, due to physical obstacles and the distribution of assets among numerous carriers, are the major problems which prevent any material increase in freight service here. Petitioners have not provided a plan to overcome these problems and serve this market. Where, as here, a huge market is not served by the plan offered by Petitioners, the Board must require modifications, which do not jeopardize the viability of the carriers, in order to assure adequate services where needed Baltimore & Ohio Railroad Co. v. United States 386 U.S. 372, 389-390 (1967). The City's and Long Island's sole all rail link to the nation can not remain its only access to a major carrier, a carrier whose singular access is limited by its lack of terminal facilities¹² and whose system, thus, does not reach most of the market. Nor can this market continue to be served by carriers which do not have the resources to address either area infrastructure or political problems which limit the rail system's access and market share. The un-served market is huge. Lack of access of the rail system to this, the largest market in the world, reduces the national rail market share, resulting in untold costs to the taxpayer from unnecessary highway use by heavy trucks.

In 1993, the State of New York commissioned a study of the market for intermodal freight service East of the Hudson in the New York City area. It found an un-served, immediately available, market for such services totaling about 600,000 trailer loads a year¹³. All of this is existing traffic which now enters, or exits, or passes through

¹² CXS is to operate the freight service directly into New York City. That line terminates at Oak Point yard in the Bronx. That yard has only six tracks and is operating at capacity with one train a day in each direction. Meanwhile, 65th Street Yard in Brooklyn is unused for want of a competent operator.

¹³ Oak Point Link, Freight Market Potential, Task 1 Report New York State Department of Transportation by Transmode Consultants, 1993 pg 5-13.

the City by highway, on the most congested roads in the nation. This study is just the most recent review of the transportation crisis caused by the lack of efficient rail service in this region. As early as 1976, a study by the New England Regional Commission (created by the governors of the New England States) determined that the closing of the carfloat system in New York Harbor had crippled all industrial activity in Southern New England, in New York City and on Long Island.¹⁴ That report concluded:

Continued use of the Selkirk Hurdle by Conrail as the southernmost rail gateway adversely effects southern New England interregional rail service. Compared to alternative gateways across the Hudson River further south, routing rail traffic through Selkirk adds a minimum of one day to the transit time and imposes circuitry ranging from 92 to 246 miles depending upon the Southern New England city. Approximately 200,000 cars per year are affected. In the context of total New England interregional rail traffic, this is 29.5% of the inbound freight and 28.4% of the outbound freight. Although the rates are equalized southern New England manufacturers who use rail service suffer because they incur higher costs because it takes longer for them to receive needed materials and to deliver merchandise to their customers. The rail carrier suffers from increased operating costs which lessen ability to compete effectively. Finally, the consumers suffer because they ultimately must bear the cost of freight transportation inefficiency...

Similar conclusions were reached by the New York State Department of Transportation in its "Intermodal Study" of 1979 which also found that service quality, i.e. transit time, was the most critical factor in modal choice by shippers¹⁵. This is identical to the conclusions reached in 1995 by a study conducted by the Long island Railroad¹⁶. The New England study strongly recommended reopening of the cross harbor floats:

¹⁴ Id. The Selkirk Hurdle pg. 4

¹⁵ New York Intermodal Study Appendix E Cost/Service Analysis, New York State Department of Transportation, by Reebe Associates may 1979 pg E1. This

¹⁶ New York Downstate Rail Freight Study, Long island Railroad by Mercer Management Consulting march 1995 pg II-9

The most cost effective and service competitive rail gateway to southern New England is the New York harbor carfloat operation between Greenville, New Jersey and Bay Ridge, Brooklyn. Based on a comparison of incremental costs associated with using each of the gateways, the routing of southern New England traffic via the New York harbor carfloats operation was shown to be less costly than usingthe Selkirk Hurdle route.

While not stressing that conclusion, the New York study also deemed a cross-harbor railcar ferry a solution. The New England report found that the cost of floating a car across the harbor using modern equipment would be about \$19.00¹⁷. More recent studies indicate that the transfer from Greenville to Bay Ridge by float should have a direct cost of about \$21 per car.¹⁸ This figure could be reduced by modern equipment and by retaining a competent water carrier to accomplish the maritime aspects of the transfer.

The benefits to shippers are substantial, indicating that such a service would increase rail market share. As an example of the advantage direct rail service has over rail services which use highway services from West of the river, a study commissioned by the New York State Department of Transportation in 1993 found that a single stack intermodal terminal operating in the Bronx could deliver a loaded trailer to an employer in Long Island City, five miles distant, for \$109 in shipping costs less than a similar load could be delivered from a double stack terminal in New Jersey¹⁹. Directly to the point, however, a study by the New York City Economic Development Corporation has estimated that an improved carfloat operation will increase the rail share of the

¹⁷ Id pg. The Selkirk Hurdle pg 58

¹⁸ New York City Rail Freight Access, Intermodal Goods Movement Study, Executive Summary, Mercer Management, January 1997, pg

¹⁹ Oak Point Link, Freight Market Potential, Task 2 Report, New York State Department of Transportation by Transmode Consultants 1993 pg 2-8.

region's inter-regional freight by 40%, or an increase of 4.2 million tons of freight annually, nearly all of which would be carload shipments to or from the middle Atlantic, southeastern, southwestern and midwestern regions of the nation. The estimated total cost of the needed capital improvements is \$83 million. Thus, while using floats to close the gap in the northeastern rail system will have a cost, that cost is dwarfed by the savings shippers will experience from having efficient rail services. By incurring some portion of that cost,²⁰ Petitioners will assuredly increase their combined market share, substantially benefiting the region and the national transportation system.

The current float operation can not provide the needed services, despite the huge market. Unless a rail float operation is included in the Joint Facilities Railroad, the lack of service experienced by this region since 1962 will continue. The public convenience and necessity require, therefor, that these services be made available by a responsible, financially secure, operator owned by the Petitioners. Based upon the above studies, completed by numerous expert consultants over the last quarter century, the public will benefit substantially from this service being provided by the Joint Facilities Railroad.

SPECIFIC ACTION DEMANDED

To accomplish this goal, the Intervenor seek merely to expand a good idea that the Petitioners have already presented for service to part of the metropolitan region.

²⁰ Various State and Federal funding sources are available to assume the cost of needed infrastructure, such as new carfloats and float bridges and eventually a tunnel under the harbor. With the participation of these carriers it is assumed that such funds will be better directed at timely, cost effective improvements than in the past.

Petitioners have agreed to operate prime lines and terminals in northern New Jersey as joint facilities. To accomplish this, they intend to create a jointly owned entity, which they refer to as the "joint facilities railroad". Both railroads will have equal access to all traffic originating or terminating on the "joint facilities railroad," and will share responsibility for the capital and operating needs of the resulting terminal carrier. To achieve a near term service improvement in the City, on Long Island, in Westchester County and in southern New England, we demand that a cross-harbor float operation and a core system of rail lines and terminals east of the Hudson be included in the Joint Facilities Railroad. This would simply extend the plan presently proposed for North Jersey across the Harbor, across Brooklyn and Queens and into the Bronx. It is critical that this terminal railroad be one entity serving both sides of the Hudson River, with identical rail rates for moves from any rail terminal in the region to and from any rail customer in the region. This type of rate structure is not unusual for terminal carriers in other major metropolitan areas.

The goal of this delegation is to place a responsible operator in charge of the cross-harbor float operation and of the main tracks connecting regional rail assets to the floats and to the Full Freight Access line to Selkirk. The existing operators of the various parts of this line, and the floats, have declined (been unable) to serve the a majority of potential shippers on this line since 1968, forcing, at this time, 4.2 million tons of freight onto the highways. The Petitioner's new joint facilities railroad will have the advantage of being backed, financially, by two major transportation companies with market power. It will also have the advantage of their respective marketing operations,

which are fully capable of promoting their competitive services to Long Island, New England and City shippers.

Within the City, the core system, which should be made the responsibility of the "joint facilities railroad", should include, in addition to a cross-harbor float operation, the 65th Street yard in Brooklyn, the Bay Ridge Line from Bay Ridge to Fresh Pond Junction, the New York Connecting Railroad (Conrail) line from Fresh Pond to Oak Point Yard in the Bronx, the rail terminal to be built within the Harlem River Yard in the Bronx and the Hunt's Point Terminal Market. The joint facilities operator's rights to use these facilities need not be exclusive, but should be trackage rights on facilities owned by the City, State and Conrail or its successors. The Board must direct the carriers to set just and reasonable rates of compensation for the New York and Atlantic which now has the right to operate freight services on the Long Island Railroad, which owns the line from Bay Ridge to Fresh Pond Junction. Absent a timely agreement, the Board should set the rates. A float system, however, must be operated by the joint facilities operator.

As demonstrated above, the imposition of a carfloat operation on the Joint Facilities Railroad and, thus, upon Petitioners, will have no adverse financial effect on them. When compared with the cost to the region of continued overdependence on trucking, the costs, if any, to Petitioners²¹ are de minimis. In its report, the Department of Transportation of the State of New York estimated that the cost to the public of a single truck trip from Newark, New Jersey (the site of most rail intermodal terminals) to the Bronx, including the cost of road maintenance, congestion, emissions, noise,

administrative costs, less the tolls actually paid by the truck, was \$183.23. To Bay Ridge, Brooklyn, the public cost is \$264.67 and to Deer Park in central Long Island it is \$437.13²². These costs are to society at large, and are in addition to the cash costs paid by the trucker for fuel, labor, capital etc. When multiplied by the 600,000 truck trips which could be avoided if adequate rail access and terminals were in place, the saving to the public treasury and to the public health and convenience are extraordinary.

As an immediate example of the benefit to the public of this proposal, at the present time the City of New York is in the process of closing its landfills for municipal solid waste. That waste is to be shipped, increasingly, to landfills in other states. Most waste now moving is being shipped to landfills in Virginia. Due to the unreliability of the present float operator, such traffic as moves by rail is all routed through Selkirk. This adds well over 300 miles to each car movement. This traffic will grow to several train loads a day when all City landfills are finally closed in the next few years. The savings to the public and to the rail carriers just from the logical routing of this traffic alone via float rather than via Selkirk is astronomical.

CONCLUSION

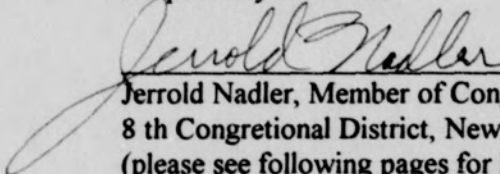
With no road capacity to spare in this most congested region, and with unacceptable rates of respiratory disease clustered in neighborhoods adjacent to our major trucking highways, finding ways to get heavy trucks off the roads, while providing employers with needed freight transportation services, must be our region's highest

²² Oak Point Link, Freight Market Potential, Task 2 Report, Supra. pg. 5-12.

economic priority as well as environmental priority. The addition of a cross-harbor float operation and the rail line from the Brooklyn waterfront to Harlem River Yard via Oak Point Yard to the NS-CSX joint facilities railroad, with its vast, well-documented public and private benefits, is a sound program which achieves these public benefits at minimal, if any, cost to the Petitioners. We therefore urge that this acquisition be made a condition of any acquisition of Conrail assets by Norfolk Southern and CSX.

Dated, New York, New York
October 8, 1997

Respectfully submitted



Jerrold Nadler, Member of Congress
8 th Congretional District, New York
(please see following pages for listed
petitioners signatures)

McHugh & Sherman, Esqs.
Attorneys for the Intervienors

John F. McHugh
20 Exchange Place
New York, N.Y. 10005
212-483-0875

CERTIFICATION OF SERVICE

Petition to STB concerning Conrail merger

Herold Muller

J.R. Manton

E. Brown

Hydio M. Valquez

Charles Sel

Mike Terbes

Louise M. Slaughter

Carl D. Anger

Paul H.

Ben A. Gilman

Walter J. Pears

Walter J. Pears

And B. Maloz

Ray L. Phe

Greg A. Korman

Erin L. Engel

Charles L. Shays

Joe V. S.

Nita Lowery

Michael R. McHale

Petition to STB concerning Conrail merger

Jim Moloney

Barbara Kennelly

Rosa E. L...

Nancy Johnson

**THE FOLLOWING PORTION OF THE PETITION IS ADDED BY THE INTERVENORS
REPRESENTING THE STATE OF CONNECTICUT**

10/14/97

Finance Docket No. 33388

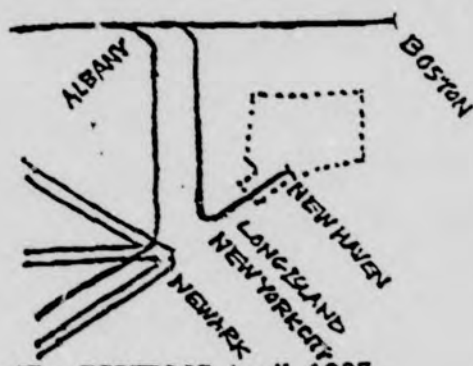
**ADDITION TO INTERVENTION
PETITION OF REPRESENTATIVES**

**SUBJECT: DIVISION OF CONRAIL BETWEEN THE CSXT AND NORFOLK
SOUTHERN RAILROADS - RAILROAD CONTROL APPLICATION**

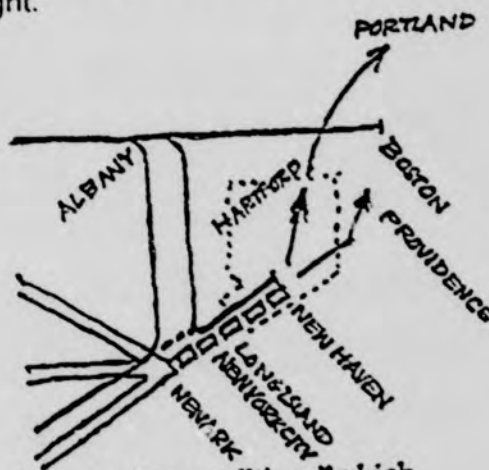
ISSUE

The consideration and ultimate public decision on this proposed plan presents a major and lasting opportunity to improve rail freight service in the Northeast U.S. This improvement can include reducing long distance heavy truck traffic on I-95 by transferring some of it to the Northeast Corridor rail line as intermodal rail freight.

The two diagrams below illustrate what is at issue:



The CSXT/NS April, 1997
agreement and the present plan
before the STB



The "appropriate conditions" which
we propose to the Railroad Control
Application plan now before the STB

Intermodal rail freight operation directly along the Northeast Corridor using "Road Railers" and single container-on-flat-car trains is possible today and is a highly effective way for the railroads to directly compete with trucks on I-95.

PROBLEMS

Vehicular traffic congestion on I-95 has long been a serious problem, and is expected to worsen. A significant part of this problem are the large number of tractor trailers which operate every hour of the day. By contrast, not one through freight train of any kind operates over the parallel Northeast Corridor rail line north of Newark, N.J. This heavy truck traffic could be reduced, were competitive, north-south intermodal rail freight service provided directly along the Northeast Corridor rail line.

OPPORTUNITY

The division of the Conrail system between the Chessie System (CSXT) and Norfolk Southern (NS) railroads presents a major opportunity to improve rail freight service in the Northeastern U.S. The Surface Transportation Board (STB) review of the proposed division should maximize this opportunity.

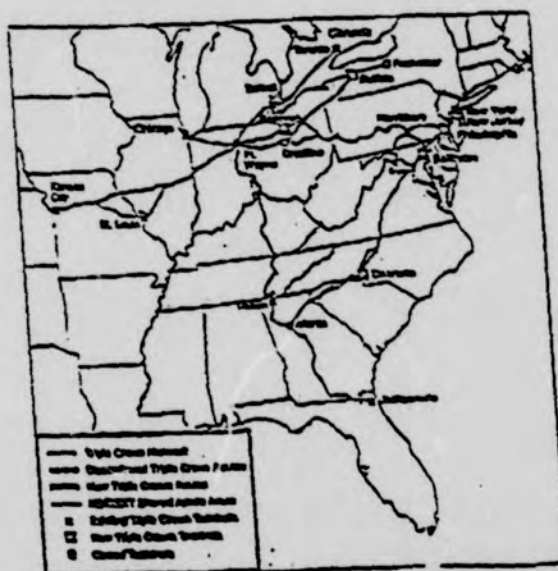
Improvements will come from direct competition between CSXT and NS and between both railroads and the trucking industry. This competition should be reflected in 1) lower freight rates, 2) longer single line service without costly interchange between different railroads, 3) new and greatly improved north-south rail services instead of only the east-west service provided by Conrail, and finally 4) shared use of the Northeast Corridor (NEC) for high-speed, truck-competitive intermodal rail freight trains.

LESS SERVICE EAST OF HUDSON RIVER

Unfortunately, New York City, Long Island, Connecticut and New England will not fully share in these improvements. See following three maps for Triple Crown Network and north-south Routes which, unfortunately, do not extend east of the Hudson River.

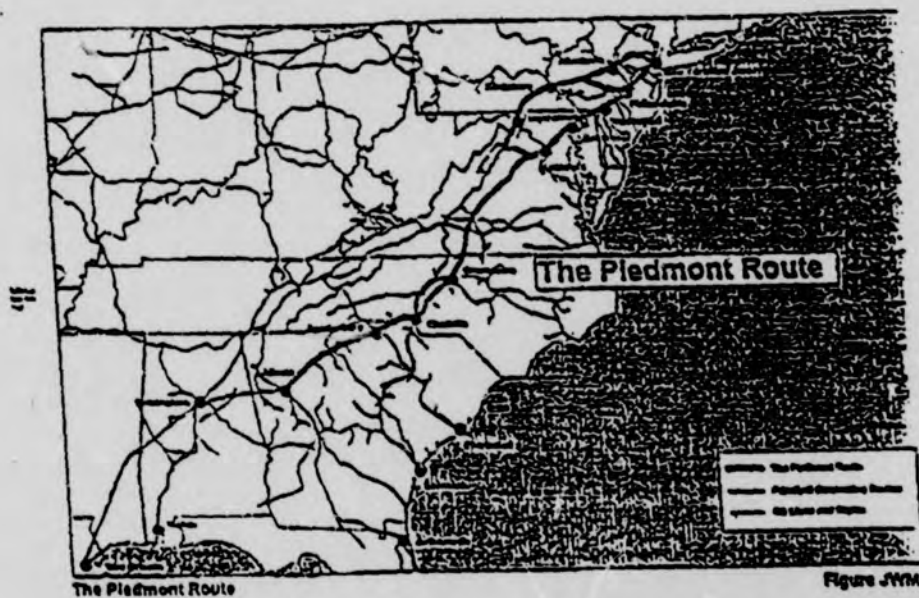
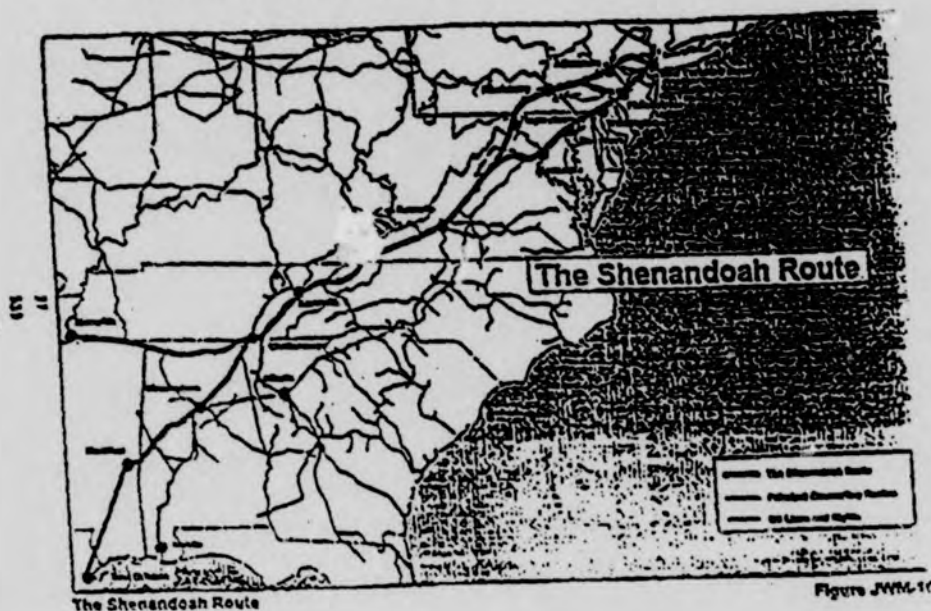
NEW YORK CITY, LONG ISLAND AND NEW ENGLAND WILL NOT BE DIRECTLY SERVED BY THE RAIL NETWORK OF THE NEW TRIPLE CROWN NETWORK

Figure TLF - 14
The New Triple Crown Network



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**NEW YORK CITY, LONG ISLAND AND NEW ENGLAND
WILL NOT BE DIRECTLY SERVED BY EITHER THE
SHENANDOAH OR THE PIEDMONT ROUTES**



10/14/97

BACKGROUND AND PROPOSED CSXT/NS PLAN

The April, 1997 agreement between CSXT and NS, which constitutes the plan now before the STB, provides that only CSXT will operate east of the Hudson River, denying or significantly reducing the major benefits of direct competition, lower freight rates and direct, truck-competitive intermodal service to New York City, Long Island, Connecticut and New England.

Prior to this agreement, NS had stated its intention of operating directly along the entire NEC, through Penn Station, New York City, using "Roadrailer" type intermodal equipment and single container-on-flatcar type trains, both of which can operate in the restricted overhead clearance environment of the NEC. It reported that success was being achieved in solving the operating concerns of Amtrak and the commuter railroads. NS, which operates the Roadrailer trains, wants to use the NEC so it can directly compete with trucks.

Unfortunately, CSXT has no such plans for direct service along the NEC through New York City. Instead, only one conventional intermodal train is planned, operating between Atlanta, Georgia and Boston, Massachusetts, using the longer, slower route via Albany, New York.

Unfortunately, too, under the present plan now before the STB, the low profile Roadrailer trains will not provide service east of the Hudson River because only NS (and not CSXT) operates this type of equipment.

Roadrailers, which can operate through Penn Station New York City and the river tunnels and which can operate at passenger train speeds, will, however, for the first time, be operated by NS on the NEC, but only on the southern half, from Washington, DC to Newark, NJ.

The northern half of the NEC from Newark, New Jersey to Boston, Massachusetts, with fewer passenger trains than the southern half, will remain underutilized during off peak hours. Late at night, and until early dawn, it will be essentially empty. Such underutilization is particularly disturbing because the NEC is, like the highway system, owned, maintained and operated by the public. The public sector, like the private sector, should expect and receive the best possible return on its investment. (See following pages for Comparative Train Densities on NEC.)

The existing joint CSXT/NS application proposes joint passenger and freight operation of the Northeast Corridor (NEC) from Washington, DC north to Newark, NJ, which proposal we fully and enthusiastically support.

COMPARATIVE TRAIN DENSITIES NORTHEAST CORRIDOR RAIL LINE (NEC)

NORTHERN HALF (NEC) Newark, N.J. - Boston, Mass.							
LOCATION	MILES	EXISTING		PROPOSED		TOTAL	CHANGE
		PASS.	FRT.	PASS.	FRT.		
Mass. Mansfield - Readville	15.9	70	4	70	4	74	0
Attleboro - Mansfield	7.2	44	4	44	4	48	0
Conn. Bridgeport - New Haven	16.0	102	3	102	3	105	0
Norwalk - Bridgeport	15.5	92	2	92	2	94	0
N.Y/Conn. New Rochelle - Norwalk	25.0	192	5	192	5	197	0
SOUTHERN HALF (NEC) Washington, D.C. - Newark, N.J.							
LOCATION	MILES	EXISTING		PROPOSED		TOTAL	CHANGE
		PASS.	FRT.	PASS.	FRT.		
N.J. Lane - Union	7.1	240	3.4	240	11.0	251	+7.6
Union - Midway	21.6	166	3.4	166	11.0	177	+7.6
Midway - Morrisville, PA.	17.3	156	3.4	156	11.0	167	+7.6
PA. Morrisville - Zoo (Phila.)	28.5	132	3.4	132	7.1	139	+3.6
Arsenal (Phila.) - Davis, Del.	25.0	116	2.3	116	10.5	127	+8.2
Del/Md. Davis - Perryville	21.1	67	4.5	67	12.4	79	+7.9
Md. Perryville - Baltimore	32.4	77	14.3	77	15.6	93	+1.3
Baltimore - Bowie	28.6	99	2.4	99	7.7	107	+5.3
Bowie - Landover	8.3	99	3.2	99	12.5	112	+9.3

SOURCE: Joint CSXT/NS Railroad Control Application, June 1997.

Note: See other side for LOCATION MAP OF NORTHEAST CORRIDOR RAIL LINE (NEC)
Locations listed above are identified with a dot.

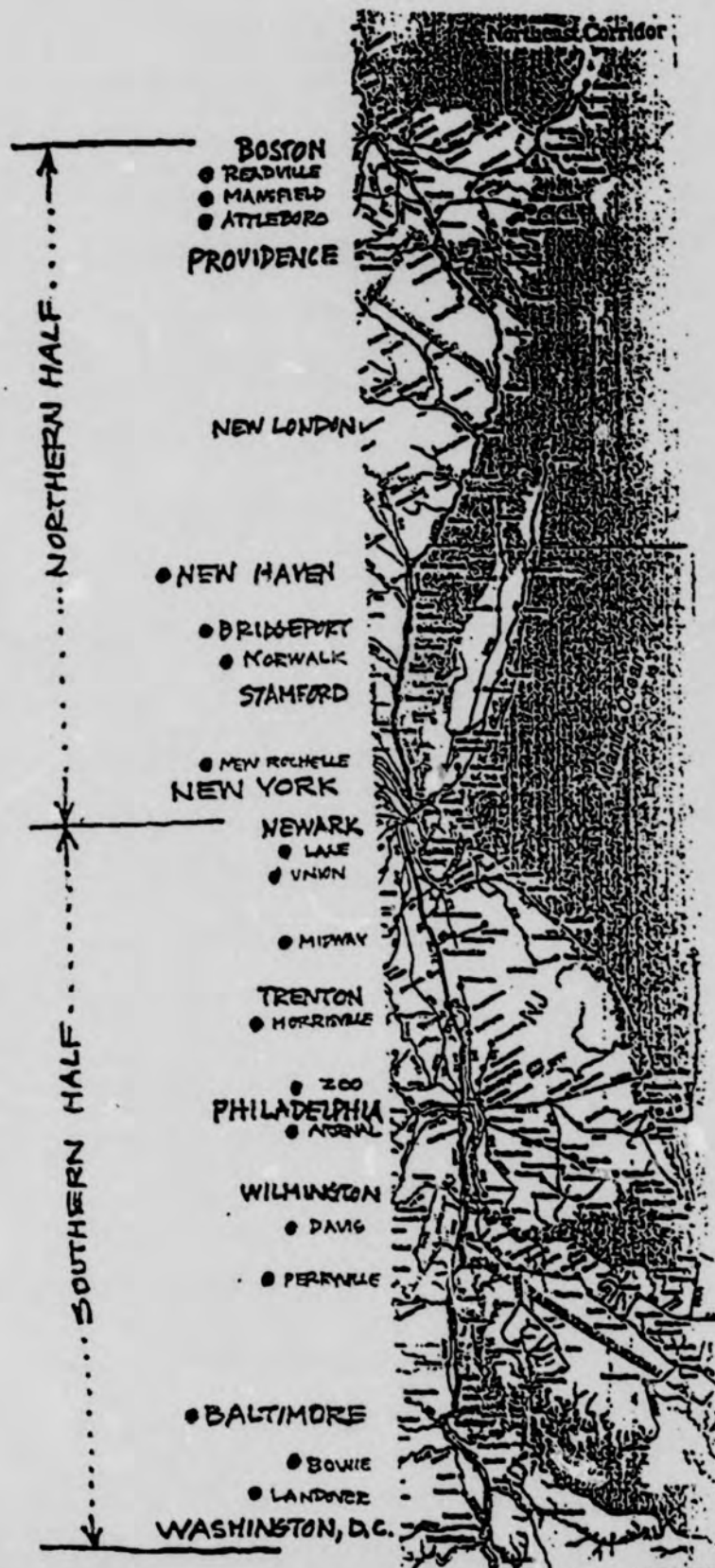
COMPARATIVE TRAIN DENSITIES

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LOCATION MAP OF NORTHEAST CORRIDOR RAIL LINE (NEC)

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LOCATION MAP OF NORTHEAST CORRIDOR RAIL LINE (NEC)



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The joint use of the NEC is also important to Norfolk Southern, and we quote from p. 226 of Vol. 33 of 8 (NS Operating Plan)

"The existing Roadrailer round trip between Newark and Atlanta, which operates five days a week, will be rerouted from the Hagerstown route to the NEC. Substantial mileage will be saved. This new route will permit TCS (Triple Crown Service) to compete with motor carriers for traffic between the Northeast and the Carolinas, something it cannot do using the Hagerstown route."

As may be seen, direct intermodal rail freight operation on the NEC is shorter in miles and permits direct competition with trucks, thus fulfilling one of the primary stated objectives of the Railroad Control Application presently before the STB.

North of Newark, New Jersey, the alternate routes to the NEC stated in the CSXT and NS operating plans are the proposed CSXT route to Boston via the existing Conrail lines: i.e. River Line to Albany and the Boston Line to Boston, or, as proposed by NS, the Hagerstown/Harrisburg/Scranton/Binghamton/Schenectady/Hoosac Tunnel route via Norfolk Southern, Delaware & Hudson (Canadian Pacific) and Guilford Transportation Industries lines.

Based on the NS statement quoted above, neither of these routes permit Triple Crown Services (TCS) or single container-on-flatcar intermodal (which can also operate through Penn Station) to directly and effectively compete with highway trucking along the entire north-south I-95 route.

Thus, extension of joint passenger/freight operations along the NEC through New York City and northeast to Boston and New England is the only practical competitive intermodal alternative to continued highway truck congestion.

PROPOSED ACTION BY THE SURFACE TRANSPORTATION BOARD

The STB should grant approval of the Railroad Control Application with appropriate conditions, namely, 1) permit and require operation of Roadrailer and single container-on-flatcar service through New York City via Penn Station to New Haven, Connecticut and beyond, and 2) require, in the interest of competitive rail freight service, joint access along this route to both CSXT and NS, or in the alternative, allow Amtrak to licence any responsible operator to provide such services. This alternative is explained in greater detail in the following pages.

We fully acknowledge and appreciate that the freight service on the NEC should be high speed and compatible with safety and intercity passenger and commuter rail operations.

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"AMTRAK ALTERNATIVE" LOW PROFILE RAIL INTERMODAL SERVICES

Rail intermodal equipment has operated through the Penn Station tunnels before. In the 1970's, Penn Central operated mail trains 16 and 17 between Philadelphia, PA and Springfield, Mass. These trains used "Flexi-van" type equipment, used system-wide by the former New York Central Railroad.

Low profile "Road Railer" type intermodal equipment was tested through Penn Station, New York, by the Inter Rail Express Company in 1982. Those tests proved that high quality intermodal service to the territory east of the Hudson and East Rivers could be provided safely. Other tests conducted at that time found that "Road Railer" equipment could operate at high speeds, in the company of Amtrak and local commuter services, and could be slotted between such services causing no conflicts due to speed limitations. Norfolk Southern successfully operates such "Roadrailer" services throughout its system and on Conrail lines. But that service terminates in Newark, N.J. arriving circuitously and not on the Corridor.

Conrail, which had rights to operate freight services on the Corridor, has declined to provide service via that line where an alternative is available, preferring to run southern freight through Hagerstown, Md., a circuitous route. Conrail was a partner with NS in the "Roadrailer" operation. It has made no effort to place such service on the Corridor.

The Northeast Corridor is primarily owned by the United States through Amtrak, which can not handle freight service due to the limitations of its franchise. The remainder is owned by public commuter rail agencies like New York MTA, Connecticut DOT and the Massachusetts Bay Transportation Authority. Neither Conrail nor NS have chosen to exercise rights they had to operate high quality intermodal services on the corridor using the Road Railer system. Indeed, Inter Rail Express is the only entity which ever negotiated with Amtrak for the right to operate such services through New York City. We also understand that early in 1997, Norfolk Southern proposed the operation of "Road Rainers" and single containers on flatcars through the Penn Station tunnels.

Therefore, noting this history, and the tremendous overdependence on trucking which we share with New York, and which is fully documented in the congressional petition which we join, we urge that the North East Corridor from Harrisburg and Washington on the south and west, to Springfield and Boston, on the north and east be deemed open to any entity which wishes to operate freight services on it using intermodal equipment which fits through New York's tunnel and which passes Federal Railroad Administration standards and any reasonable standards set by Amtrak. Rates for such use should be set by direct negotiations between Amtrak and the carrier, subject to Surface Transportation Board oversight if an agreement cannot be reached.

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The goal here is to obtain service. The first responsible operator who provides such services should have precedence to the extent of that operation. What we seek to avoid, is to have operators who will not or can not provide needed services due to either a lack of will or of financial ability having exclusive rights on tracks owned by the people of the United States or of the various States along the Northeast Corridor. Thus, we seek to require this open access only on tracks owned by Amtrak or State agencies and not on tracks owned by private carriers, except for limited distances within terminal areas between terminal facilities and the Amtrak Corridor tracks.

See page 6 for a Location Map of Northeast Corridor Rail Line which shows the "northern half" which should be allowed to benefit from the same direct rail intermodal service now planned for the southern half.

See page 5 for Comparative Train Densities and existing and proposed operations on the Northeast Corridor, compiled from the CSXT/NS plan. It strongly indicates that room exists for the operation anticipated here and indeed that there will be no increase in freight service north of Newark, N.J., under the plan proposed by NS and CSX.

PROPOSED ACTION BY THE SURFACE TRANSPORTATION BOARD

Therefore, we request that the STB grant approval of the Railroad Control Application subject to the additional condition that, in addition to the trackage rights granted to CSX and NS by acquisition of Conrail's rights, Amtrak, the operator of passenger services on the Northeast Corridor from Washington, D.C. and its environs, from Harrisburg, Pa. and its environs, to Springfield, Mass and to Boston, Mass., be allowed to grant trackage rights to any railroad operator on a first come first serve basis. These rights shall be limited to low profile intermodal services which can and do pass through the Hudson and East River Tunnels in the City of New York. And further, that Amtrak will be allowed to contract with such railroads to provide pulling services. Such trackage rights will not unreasonably interfere with any pre-existing operations of CSX or NS. Finally, that no trackage rights agreement shall be exclusive and that Amtrak may price and therefore allocate available time slots based upon their value.

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John F. McHugh certifies that on October 17, 1997 I served a copy of this Intervention Petition upon the following parties by mail to the following addresses:

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U S ENVIRONMENTAL PROTECTION AGENCY
401 M STREET SW (2252A)
WASHINGTON DC 20460 US

Represents:

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CSX CORPORATION AND CSX TRANSPORTATION, INC., NORFOLK
SOUTHERN CORPORATION AND NORFOLK SOUTHERN RAILWAY
COMPANY--CONTROL AND OPERATING
LEASES/AGREEMENTS--CONRAIL INC. AND CONSOLIDATED RAIL
CORPORATION

PARTY OF RECORD
NICHOLAS J. DIMICHAEL
DONELAN, CLEARY, ET AL.
1100 NEW YORK AVENUE N W STE 750
WASHINGTON DC 20005-3934 US

Represents: ANKER ENERGY CORPORATION
BUFFALO COAL CO., INC.
EVERGREEN MINING COMPANY
MARYLAND COAL ASSOCIATION
METTIKI COAL CORPORATION
PBS COALS INC
TRI-STATE COAL ASSOCIATION
VENTURE COAL SALES
WEST VIRGINIA COALS, INC.

MEMBER OF CONGRESS
HONORABLE JOHN D. DINGELL
U. S. HOUSE OF REPRESENTATIVES

WASHINGTON DC 20515 US

Represents:

PARTY OF RECORD
DAVID W. DONLEY
3361 STAFFORD ST
PITTSBURGH PA 15204-1441 US

Represents: WEIRTON STEEL CORPORATION

PARTY OF RECORD
PAUL M. DONOVAN
LAROE, WINN, ETAL
3506 IDAHO AVE NW
WASHINGTON DC 20016 US

Represents: PORT AUTHORITY OF NEW YORK AND NEW JERSEY
PORT OF AUTHORITY OF NEW YORK AND NEW JERSEY
THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

PARTY OF RECORD
KELVIN J. DOWD
SLOVER & LOFTUS
1224 17TH STREET N W
WASHINGTON DC 20036 US

Represents: CONSUMERS ENERGY COMPANY
GPU GENERATION INC

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□
PARTY OF RECORD
DANIEL DUFF
AMERICAN PUBLIC TRANSIT ASSOC
1201 NEW YORK AV NW
WASH DC 20005 US

Represents: AMERICAN PUBLIC TRANSIT ASSOCIATION

PARTY OF RECORD
JOHN K DUNLEAVY
ASSISTANT ATTORNEY GENERAL
133 STATE STREET STATE ADM BLDG
MONTPELIER VT 05633-5001 US

Represents: STATE OF VERMONT

PARTY OF RECORD
DONALD W DUNLEVY

230 STATE STREET
UTU STATE LEG DIR
PA AFL-CIO BLDG 2ND FL
HARRISBURG PA 17101-1138 US

Represents: UNITED TRANSPORTATION UNION PENNSYLVANIA STATE
LEGISLATIVE BOARD

PARTY OF RECORD
FAY D DUPUIS, CITY SOLICITOR
CITY HALL
801 PLUM STREET ROOM 214
CINCINNATI OH 45202 US

Represents: CITY OF CINCINNATI OHIO

PARTY OF RECORD
MARTIN T DURKIN ESQ
DURKIN & BOGGIA ESQS
PO BOX 378
71 MT VERNON STREET
RIDGEFIELD PARK NJ 07660 US

Represents: VILLAGE OF RIDGEFIELD PARK NEW JERSEY

PARTY OF RECORD
DAVID DYSARD
TMACOG
PO BOX 9508
300 CENTRAL UNION PLAZA
TOLEDO OH 43697-9508 US

Represents: TOLEDO METRO AREA COUNCIL OF GOVT

PARTY OF RECORD
GARY A EBERT
CITY OF BAY VILLAGE
350 DOVER CENTER ROAD
BAY VILLAGE OH 44140 US

10/08/1997

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☐ Represents: CITY OF BAY VILLAGE OHIO

PARTY OF RECORD
RICHARD S. EDELMAN
HIGSAW MAHONEY CLARKE
1050 SEVENTEENTH STREET N W, SUITE 210
WASHINGTON DC 20036 US

Represents: ALLIED RAIL UNIONS

PARTY OF RECORD
ROBERT EDWARDS

EASTERN TRANSPORT AND LOGISTICS
1109 LANETTE DRIVE
CINCINNATI OH 45230 US

Represents: EASTERN TRANSPORT AND LOGISTICS

PARTY OF RECORD

GARY EDWARDS SUPERINTENDENT OF RR OPERATIONS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER NY 14012 US

Represents: SOMERSET RAILROAD CORPORATION

PARTY OF RECORD

DANIEL R. ELLIOTT III ASST GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107 US

Represents: UNITED TRANSPORTATION UNION

PARTY OF RECORD

TERRELL ELLIS
CAEZVW
P O BOX 176
CLAY WV 25043 US

Represents: CENTRAL APPALACHIA EMPOWERMENT ZONE OF WEST VIRGINIA

PARTY OF RECORD

ROBERT L. EVANS
OXYCHEM
P O BOX 809050
DALLAS TX 75380 US

Represents: OCCIDENTAL CHEMICAL CORPORATION

PARTY OF RECORD

SARA J FAGNILLI DIRECTOR OF LAW
CITY OF LAKEWOOD
12650 DETROIT AVENUE
LAKEWOOD OH 44107 US

10/08/1997

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☐ Represents: CITY OF LAKEWOOD OHIO

PARTY OF RECORD

GERALD W. FAUTH, III
G. W. FAUTH & ASSOCIATES INC.
P O BOX 2401

ALEXANDRIA VA 22301 US

Represents: G. W. FAUTH & ASSOCIATES, INC.
GERALD W FAUTH III

PARTY OF RECORD

CARL FELLER
DEKALB AGRA INC
P. O. BOX 127
4743 COUNTY ROAD 28
WATERLOO IN 46793-0127 US

Represents: DEKALB AGRA INC

PARTY OF RECORD

MICHAEL P. FERRO
MILLENNIUM PETROCHEMICALS, INC.
11500 NORTHLAKE DRIVE
CINCINNATI OH 45249 US

Represents: MILLENNIUM PETROCHEMICALS INC F/K/A QUANTUM CHEMICAL
CORPORATION

PARTY OF RECORD

EDWARD J FISHMAN
OPPENHEIMER WOLFF & DONNELLY
1020 NINETEENTH ST NW STE 400
WASHINGTON DC 20036 US

Represents: NEW JERSEY DEPARTMENT OF TRANSPORTATION
NEW JERSEY TRANSIT CORPORATION
NORTHERN VIRGINIA TRANSPORTATION COMMISSION-POTOMAC

AND

RAPPAHANNOCK TRANSPORTATION COMMISSION
VERMONT RAILWAY INC

PARTY OF RECORD

J D FITZGERALD
UTU, GENERAL CHAIRPERSON
400 E EVERGREEN BLVD STE 217
VANCOUVER WA 98660-3264 US

Represents: UNITED TRANSPORTATION UNION-GENERAL COMMITTEE OF
ADJUSTMENT
GO 386

PARTY OF RECORD

STEPHEN M FONTAINE
MASSACHUSETTS CENTRAL RAILROAD CORPORATION
ONE WILBRAHAM STREET
PALMER MA 01069 US

Represents: MASSACHUSETTS CENTRAL RAILROAD CORPORATION

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CSX CORPORATION AND CSX TRANSPORTATION, INC., NORFOLK
SOUTHERN CORPORATION AND NORFOLK SOUTHERN RAILWAY
COMPANY--CONTROL AND OPERATING
LEASES/AGREEMENTS--CONRAIL INC. AND CONSOLIDATED RAIL
CORPORATION

GOVERNOR
HONORABLE KIRK FORDICE, GOVERNOR
STATE OF MISSISSIPPI
P O BOX 139
JACKSON MS 39205 US

Represents:

MEMBER OF CONGRESS
HONORABLE TILLIE K FOWLER
US HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

NON-PARTY
ROBERT C. FREAS
SR. VICE PRESIDENT, MARKETING FRANKLIN INDUSTRIAL MINERALS
612 TENTH AVENUE, NORTH
NASHVILLE TN 37203 US

Represents:

PARTY OF RECORD
GARLAND B GARRETT JR
NC DEPT OF TRANSPORTATION
P O BOX 25201
RALEIGH NC 27611 US

Represents:

PARTY OF RECORD
MICHAEL J GARRIGAN
BP CHEMICALS INC
4440 WARRENSVILLE CTR RD
CLEVELAND OH 44128 US

Represents: BP AMERICA INC

PARTY OF RECORD
RICHARD A GAVRIL

16700 GENTRY LANE NO 104
TINLEY PARK IL 60477 US

Represents: RICHARD A GAVRIL

PARTY OF RECORD

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☐ PETER A GILBERTSON
LOUISVILLE & INDIANA RAILROAD COMPANY
53 W. JACKSON BOULEVARD, STE 350
CHICAGO IL 60604 US

Represents: LOUISVILLE & INDIANA RAILROAD COMPANY

PARTY OF RECORD

PETER A GILBERTSON
REGIONAL RRS OF AMERICA
122 C ST NW STE 850
WASHINGTON DC 20001 US

Represents: REGIONAL RAILROADS OF AMERICA

PARTY OF RECORD

LOUIS E GITOMER
BALL JANIK LLP
1455 F STREET NW SUITE 225
WASHINGTON DC 20005 US

Represents: APL LIMITED
DELAWARE VALLEY RAILWAY COMPANY INC
HURON AND EASTERN RAILWAY COMPANY INC
RAILAMERICA INC
SAGINAW VALLEY RAILWAY COMPANY INC

MEMBER OF CONGRESS

HONORABLE JOHN GLENN
U. S. SENATE ATTN: ANISA BELL
200 N HIGH STREET S-600
COLUMBUS OH 43215-2408 US

Represents:

PARTY OF RECORD

DOUGLAS S GOLDEN
MAIN LINE MANAGEMENT SERVICES INC
520 FELLOWSHIP ROAD SUITE A-105
MOUNT LAUREL NJ 08054-3407 US

Represents: PENNSYLVANIA SENATE TRANSPORTATION COMMITTEE

PARTY OF RECORD

ANDREW P. GOLDSTEIN
MCCARTHY, SWEENEY ET AL.
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006 US

Represents: NATIONAL GRAIN AND FEED ASSOCIATION

PARTY OF RECORD

JOHN GORDON
NATIONAL LIME & STONE COMPANY
P. O. BOX 120
FINDLAY OH 45840 US

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□

Represents: NATIONAL LIME & STONE COMPANY

MEMBER OF CONGRESS

HONORABLE BOB GRAHAM
UNITED STATE SENATE
WASHINGTON DC 20510 US

Represents:

PARTY OF RECORD

EDWARD D. GREENBERG
GALLAND, KHARASCH, MORSE & GARFINKLE
1054 THIRTY-FIRST STREET NW
WASHINGTON DC 20007-4492 US

Represents: PROVIDENCE AND WORCESTER RAILROAD COMPANY
STEEL WAREHOUSE CO INC
THE INTERNATIONAL PAPER COMPANY

PARTY OF RECORD

PETER A. GREENE
THOMPSON HINE FLORY
1920 N STREET N W, SUITE 800
WASHINGTON DC 20036 US

Represents: BAY STATE MILLING COMPANY
BELVIDERE & DELAWARE RIVER RAILWAY
BLACK RIVER & WESTERN RAILROAD
EAST PENN RAILWAY INC
LANCASTER NORTHERN RAILWAY

PARTY OF RECORD

ROBERT E GREENLESE
TOLEDO-LUCAS COUNTY PORT AUTHORITY
1 MARITIME PLAZA SUITE 700
TOLEDO OH 43604 US

Represents: TOLEDO-LUCAS COUNTY PORT AUTHORITY
TOLEDO-LUCAS COUNTY PORT AUTHORITY

NON-PARTY
R A GRICE
GENERAL CHAIRPERSON UTU
11017-F GRAVOIS INDUSTRIAL PLAZA
ST LOUIS MO 63128 US

Represents:

PARTY OF RECORD
DONALD F GRIFFIN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYES
400 N CAPITOL ST NW SUITE 852
WASHINGTON DC 20001 US

Represents:

10/08/1997
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□
PARTY OF RECORD
JOHN J GROCKI
GRA INC
115 WEST AV ONE JENKINTOWN STA
JENKINTOWN PA 19046 US

Represents: GRA INCORPORATED

PARTY OF RECORD
VAUGHN R GROVES
PITTSTON COAL COMPANY
PO BOX 5100
LEBANON VA 24266 US

Represents: PITTSTON COAL COMPANY

PARTY OF RECORD
JOSEPH GUERRIERI, JR.
GUERRIERI, EDMOND, ET. AL
1331 F STREET N W, 4TH FLOOR
WASHINGTON DC 20004 US

Represents:

PARTY OF RECORD
DAVID L HALL
COMMONWEALTH CONSULTING ASSOCIATES
720 NORTH POST OAK ROAD SUITE 330
HOUSTON TX 77024 US

Represents: SHELL CHEMICAL COMPANY
SHELL OIL COMPANY

MEMBER OF CONGRESS
HON. LEE N. HAMILTON
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

PARTY OF RECORD
MICHAEL P HARMONIS
U S DEPT OF JUSTICE
325 7TH STREET SUITE 500
WASHINGTON DC 20530 US

Represents: U S DEPARTMENT OF JUSTICE
U. S. DEPARTMENT OF JUSTICE

PARTY OF RECORD
JAMES W HARRIS
THE METROPOLITAN PLANNING ORGANIZATION
1 WORLD TRADE CENTER STE 82 EAST
NEW YORK NY 10048-0043 US

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☐

Represents:

PARTY OF RECORD
NICOLE HARVEY
THE DOW CHEMICAL COMPANY
2020 DOW CENTER
MIDLAND MI 48674 US

Represents: THE DOW CHEMICAL COMPANY

PARTY OF RECORD
JOHN D. HEFFNER, ESQ.
REA, CROSS & AUCHINCLOSS
1920 N STREET NW SUITE 420
WASHINGTON DC 20036 US

Represents: EMPIRE STATE PASSENGER ASSOCIATION
FORT ORANGE PAPER COMPANY
NEW YORK CROSS HARBOR RAILROAD TERMINAL CORPORATION
WABASH & WESTERN RAILWAY CO D/B/A MICHIGAN SOUTHERN
RAILROAD INC

PARTY OF RECORD
R J HENEFELD

PPG INDUSTRIES INC
ONE PPG PLACE
PITTSBURGH PA 15272 US

Represents: PPG INDSTRUTRIES INC.

NON-PARTY

G W HERKNER JR
NJ TRANSIT RAIL OPERATIONS
ONE PENN PLAZA EAST
NEWARK NJ 07105 US

Represents:

PARTY OF RECORD

WILLIAM P HERNAN JR GENERAL CHAIRMAN
P O BOX 180
HILLIARD OH 43026 US

Represents:

PARTY OF RECORD

CHARLES S HESSE, PRESIDENT
CHARLES HESSE ASSOCIATES
8270 STONEY BROOK DRIVE
CHAGRIN FALLS OH 44023 US

Represents: OHIO STEEL INDUSTRY ADVISORY COUNCIL

NON-PARTY

LYNN A. HISER

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☐ A. E. STALEY MFG. CO
2200 E ELDORADO STREET
DECATUR IL 62525 US

Represents:

PARTY OF RECORD

ERIC M. HOCKY
GOLLATZ, GRIFFIN, EWING
213 WEST MINER STREET
WEST CHESTER PA 19381-0796 US

Represents: ALLEGHENY & EASTERN RAILROAD INC
BETHLEHEM STEEL CORPORATION ET AL
BUFFALO & PITTSBURGH RAILROAD INC
BUFFALO & PITTSBURGH RAILROAD, INC.
NEW YORK SUSQUEHANNA AND WESTERN RAILWAY CORPORATION
PITTSBURG & SHAWMUT RAILROAD INC

PITTSBURG & SHAWMUT RAILROAD INC
READING BLUE MOUNTAIN & NORTHERN RAILROAD COMPANY
READING BLUE MOUNTAIN AND NORTHERN RAILROAD COMPANY
ROCHESTER & SOUTHERN RAILROAD INC
ROCHESTER & SOUTHERN RAILROAD INC

PARTY OF RECORD
JAMES E. HOWARD
90 CANAL STREET
BOSTON MA 02114 US

Represents: COALITION OF NORTHEASTERN GOVERNORS

PARTY OF RECORD
JOHN HOY
P O BOX 117
GLENN BURNIE MD 21060 US

Represents: BALTIMORE AREA TRANSIT ASSOCIATION

PARTY OF RECORD
BRAD F HUSTON
CYPRUS AMAX COAL SALES CORP
400 TECHNECENTER DRIVE STE 320
MILFORD OH 45150 US

Represents:

PARTY OF RECORD
SHEILA MECK HYDE CITY ATTORNEY
CITY HALL
342 CENTRAL AVENUE
DUNKIRK NY 14048 US

Represents: CITY OF DUNKIRK NEW YORK

PARTY OF RECORD

10/08/1997
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☐ ERNEST J IERARDI
NIXON HARGRAVE DEVANS DOYLE LLP
PO BOX 1051
CLINTON SQUARE
ROCHESTER NY 14603-1051 US

Represents: ROCHESTER GAS AND ELECTRIC CORPORATION

PARTY OF RECORD
WILLIAM P. JACKSON, JR.
JACKSON & JESSUP, P. C.
P O BOX 1240
3426 NORTH WASHINGTON BLVD

ARLINGTON VA 22210 US

Represents: A T MASSEY COAL COMPANY INC ET AL

PARTY OF RECORD

JAMES R JACOBS
JACOBS INDUSTRIES
2 QUARRY LANE
STONY RIDGE OH 43463 US

Represents: JACOBS INDUSTRIES

GOVERNOR

HONORABLE FOB JAMES
GOVERNOR
STATE OF ALABAMA
MONTGOMERY AL 36130 US

Represents:

PARTY OF RECORD

DOREEN C JOHNSON CHIEF ANTITRUST SECTION
OHIO ATTY GENERAL OFFICE
30 E BROAD STREET 16TH FLOOR
COLUMBUS OH 43215 US

Represents: OHIO ATTORNEY GENERALS OFFICE

PARTY OF RECORD

ERIKA Z JONES
MAYER BROWN & PLATT
2000 PA AV NW
WASH DC 20006-1882 US

Represents: BURLINGTON NORTHERN RAILROAD AND SANTA FE RAILWAY
COMPANY

BURLINGTON NORTHERN RAILROAD
THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

PARTY OF RECORD

TERRENCE D JONES
KELLER & HECKMAN
1001 G ST NW STE 500 WEST
WASHINGTON DC 20001 US

Represents: NORTH AMERICAN LOGISTIC SERVICES A DIVISION OF MARS

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☐

INCORPORATED

PARTY OF RECORD

FRANK N JORGENSEN
THE ELK RIVER RAILROAD INC

P O BOX 460
SUMMERSVILLE WV 26651 US

Represents: THE ELK RIVER RAILROAD INC

PARTY OF RECORD
FRITZ R KAHN
1100 NEW YORK AVENUE NW SUITE 750 WEST
WASHINGTON DC 20005-3934 US

Represents: MARTIN MARIETTA MATERIALS INC
SHINTECH INC

PARTY OF RECORD
STEVEN J. KALISH
MCARTHY, SWEENEY & HARKAWAY
1750 PENNSYLVANIA AVE NW
WASHINGTON DC 20006-4502 US

Represents: THE TOWN OF HAYMARKET

MEMBER OF CONGRESS
HON MARCY KAPTUR
U S HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

PARTY OF RECORD
LARRY B. KARNES
TRANSPORTATION BUILDING
PO BOX 30050
425 WEST OTTAWA
LANSING MI 48909 US

Represents: MICHIGAN DEPARTMENT OF TRANSP

PARTY OF RECORD
RICHARD E. KERTH, TRANS. MGR.
CHAMPION INTERNAT'L CORP
101 KNIGHTSBRIDGE DRIVE
HAMILTON OH 45020-0001 US

Represents: CHAMPION INTERNATIONAL CORPORATION

PARTY OF RECORD
DAVID D KING
BEAUFORT AND MOREHEAD RR CO
PO BOX 25201
RALEIGH NC 27611-5201 US

10/08/1997

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□

Represents:

PARTY OF RECORD

L P KING JR
GENERAL CHAIRPERSON UTU
145 CAMPBELL AVE SW STE 207
ROANOKE VA 24011 US

Represents: UNITED TRANSPORTATION UNION GENERAL COMMITTEE OF
ADJUSTMENT

N & W-C

PARTY OF RECORD

MITCHELL M KRAUS GENERAL COUNSEL
TRANSPORTATION COMMUNICATIONS INTERNATIONAL UNION
3 RESEARCH PLACE
ROCKVILLE MD 20850 US

Represents: TRANSPORTATION COMMUNICATIONS INTERNATIONAL UNION

PARTY OF RECORD

HON DENNIS J KUCINICH
UNITED STATES HOUSE REPRESENTATIVES
WASHINGTON DC 20515 US

Represents: CITIZENS 10TH CONGRESSIONAL DISTRICT OF OHIO

MEMBER OF CONGRESS

HONORABLE JOHN J. LAFALCE
UNITED STATES HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

PARTY OF RECORD

PAUL H. LAMBOLEY
1020 NINETEENTH STREET, N.W., STE 400
WASHINGTON DC 20036-6105 US

Represents: RESOURCES WAREHOUSING & CONSOLIDATION SERVICES INC
SOUTHERN TIER WEST REGIONAL PLANNING AND DEVELOPMENT

BOARD

TRANSPORTATION INTERMEDIARIES ASSOCIATION

MEMBER OF CONGRESS

HON. STEVE LATOURETTE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

NON-PARTY

LAURENCE R. LATOURETTE
PRESTON GATES ELLIS ETAL

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☐ 1735 NY AVE NW SUITE 500
WASHINGTON DC 20006 US

Represents: STATE OF MARYLAND

MEMBER OF CONGRESS

STEVEN C. LATOURETTE
CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

PARTY OF RECORD

J PATRICK LATZ
HEAVY LIFT CARGO SYSTEM
PO BOX 51451
INDIANAPOLIS IN 46251-0451 US

Represents: HEAVY LIFT CARGO SYSTEMS

PARTY OF RECORD

JOHN K. LEARY, GENERAL MANAGER
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY
1234 MARKET STREET 5TH FLOOR
PHILADELPHIA PA 19107-3780 US

Represents: SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY

PARTY OF RECORD

SHERRI LEHMAN DIRECTOR OF CONGRESSIONAL AFFAIRS
CORN REFINERS ASSOC
1701 PA AV NW
WASH DC 20006-5805 US

Represents: CORN REFINERS ASSOCIATION INC

ADMINISTRATIVE LAW JUDGE

JUDGE JACOB LEVENTHAL, OFFICE OF HEARINGS
FEDERAL ENERGY REGULATORY COMMISSION
888 - 1ST ST, N.E. STE 11F
WASHINGTON DC 20426 US

Represents:

MEMBER OF CONGRESS
HON. WILLIAM O. LIPINSKI
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

PARTY OF RECORD
THOMAS J. LITWILER
OPPENHEIMER WOLFF & DONNELLY

10/08/1997

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☐ 180 N STETSON AVE 45TH FLOOR
CHICAGO IL 60601 US

Represents: CEDAR RIVER RAILROAD COMPANY
FOX VALLEY & WESTERN LTD
ILLINOIS CENTRAL RAILROAD COMPANY CHICAGO CENTRAL &
PACIFIC RAILROAD COMPANY AND CEDAR RIVER RAILROAD COMPANY
R J CORMAN PARTIES
R J CORMAN RAILROAD COMPANIES
SAULT STE MARIE BRIDGE COMPANY
TRANSTAR INC AND BESSEMER AND LAKE ERIE RAILROAD
COMPANY TRANSTAR INC AND ELGIN JOLIET AND EASTERN RAILROAD
COMPANY WISCONSIN CENTRAL LTD
WISCONSIN CENTRAL TRANSPORTATION CORPORATION

PARTY OF RECORD
EDWARD LLOYD
RUTGERS ENVIRONMENTAL LAW CLINIC
15 WASHINGTON STREET
NEWARK NJ 07102 US

Represents: TRI-STATE TRANSPORTATION CAMPAIGN

PARTY OF RECORD
C MICHAEL LOFTUS
SLOVER & LOFTUS
1224 SEVENTEENTH STREET NW
WASHINGTON DC 20036 US

Represents: CENTERIOR ENERGY CORPORATION
DETROIT EDISON COMPANY
EAST CHICAGO INDIANA-HAMMOND INDIANA-GARY INDIANA-
WHITING INDIANA THE FOUR CITY CONSORTIUM
POTOMAC ELECTRIC POWER COMPANY
POTOMAC ELECTRIC POWER COMPANY

THE DETROIT EDISON COMPANY

PARTY OF RECORD

DENNIS G LYONS
ARNOLD & PORTER
555 TWELFTH STREET NW
WASHINGTON DC 20004 US

Represents: CSX CORPORATION INC
CSX TRANSPORTATION INC
CSX TRANSPORTATION INC

PARTY OF RECORD

GORDON P. MACDOUGALL
1025 CONNECTICUT AVE NW SUITE 410
WASHINGTON DC 20036 US

Represents: CHARLES D BOLAM
FRANK R PICKELL
JOHN D FITZGERALD
JOSEPH C SZABO

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CSX CORPORATION AND CSX TRANSPORTATION, INC., NORFOLK
SOUTHERN CORPORATION AND NORFOLK SOUTHERN RAILWAY
COMPANY--CONTROL AND OPERATING
LEASES/AGREEMENTS--CONRAIL INC. AND CONSOLIDATED RAIL
CORPORATION

MEMBER OF CONGRESS

HONORABLE CONNIE MACK
UNITED STATES SENATE
WASHINGTON DC 20510-0904 US

Represents:

NON-PARTY

LARRY D MACKLIN
INDIANA DIVISION OF HISTORIC PRESERVATION
402 W WASHINGTON STREET RM 274
INDIANAPOLIS IN 46204 US

Represents:

PARTY OF RECORD

RON MARQUARDI
LOCAL UNION 1810 UMWA

R D #2
RAYLAND OH 43943 US

Represents:

PARTY OF RECORD
ROBERT E MARTINEZ
VA SECRETARY OF TRANSP
P O BOX 1475
RICHMOND VA 23218 US

Represents: COMMONWEALTH OF VIRGINIA

PARTY OF RECORD
JOHN K. MASER, III
DONELAN, CLEARY, WOOD, MASER
1100 NEW YORK AVE NW SUITE 750
WASHINGTON DC 20005-3934 US

Represents: ACME STEEL COMPANY
AK STEEL CORPORATION
CARGILL INCORPORATED
ERIE-NIAGARA RAIL STEERING COMMITTEE
INSTITUTE OF SCRAP RECYCLING INDUSTRIES INC
JOSEPH SMITH & SONS INC
NIAGARA MOHAWK POWER CORPORATION

NON-PARTY
THEODORE H MATTHEWS
N J DEPARTMENT OF TRANSPORTATION
1035 PARKWAY AVENUE CN-600

10/08/1997
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☐ TRENTON NJ 08625 US

Represents:

PARTY OF RECORD
DAVID J MATTY
CITY OF ROCKY RIVER
21012 HILLIARD ROAD
ROCKY RIVER OH 44116-3398 US

Represents: CITY OF ROCKY RIVER OHIO

PARTY OF RECORD
GEORGE W MAYO JR
HOGAN & HARTSON L.L.P.
555 THIRTEENTH STREET NW
WASHINGTON DC 20004-1109 US

Represents: CANADIAN PACIFIC RAILWAY COMPANY

DELAWARE AND HUDSON RAILWAY COMPANY INC
DELAWARE AND HUDSON RAILWAY COMPANY INC
SOO LINE CORP
SOO LINE RAILROAD CO
SOO LINE RAILROAD COMPANY
SOO LINE RAILROAD COMPANY
ST LAWRENCE & HUDSON RAILWAY COMPANY LIMITED

PARTY OF RECORD

MICHAEL F. MCBRIDE
LEBOEUF LAMB GREENE & MACRAE, L. L. P.
1875 CONNECTICUT AVE N W, STE 1200
WASHINGTON DC 20009 US

Represents: AMERICAN COAL SALES COMPANY
AMERICAN ELECTIC POWER SERVICE CORPORATION ET AL
AMERICAN ELECTRIC POWER
ATLANTIC CITY ELECTRIC COMPANY
CSX-NS
DELMARVA POWER & LIGHT COMPANY
FERTILIZER INSITUTE
INDIANAPOLIS POWER & LIGHT COMPANY
OHIO MINING AND RECLAMATION ASSOCIATION
THE FERTILIZER INSTITUTE
THE OHIO VALLEY COAL COMPANY

PARTY OF RECORD

R. LAWRENCE MCCAFFREY, JR.
NEW YORK & ATLANTIC RAILWAY
405 LEXINGTON AVENUE 50TH FLOOR
NEW YORK NY 10174 US

Represents: NEW YORK & ATLANTIC RAILWAY COMPANY

PARTY OF RECORD

EDWARD C MCCARTHY
INLAND STEEL INDUSTRIES INC
30 WEST MONROE STREET
CHICAGO IL 60603 US

10/08/1997

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□

Represents: INLAND STEEL INDUSTRIES INC

PARTY OF RECORD

CHRISTOPHER C MCCrackEN
ULMER & BERNE LLP
1300 EAST NINTH STREET SUITE 900
CLEVELAND OH 44114 US

Represents: ASHTA CHEMICAL INC
ASHTA CHEMICALS INC

PARTY OF RECORD

THOMAS F. MCFARLAND, JR.
MCFARLAND & HERMAN
20 NORTH WACKER DRIVE, SUITE 1330
CHICAGO IL 60606-3101 US

Represents: KOKOMO GRAIN CO INC

PARTY OF RECORD

JAMES F. MCGRAIL
COMMONWEALTH OF MASS. EXEC. OFFICE OF TRANSPT. & CONST.
10 PARK PLAZA ROOM 3170
BOSTON MA 02116-3969 US

Represents: COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF
TRANSPORTATION AND CONSTRUCTION

PARTY OF RECORD

FRANCIS G. MCKENNA
ANDERSON & PENDLETON
1700 K ST NW SUITE 1107
WASHINGTON DC 20006 US

Represents: WEST VIRGINIA STATE RAIL AUTHORITY

PARTY OF RECORD

COLETTA MCNAMEE SR
CUDELL IMPROVEMENT INC
11500 FRANKLIN BLVD STE 104
CLEVELAND OH 44102 US

Represents: CUDELL IMPROVEMENT INC

MEMBER OF CONGRESS

HONORABLE MICHAEL MCNULTY
U. S. HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515-3221 US

Represents:

NON-PARTY

GEORGE MESİRES
STATE OF NY ASSISTANT ATTORNEY GENERAL

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☐ 120 BROADWAY SUITE 2601
NEW YORK NY 10271 US

Represents:

PARTY OF RECORD

H DOUGLAS MIDKIFF

65 WEST BROAD ST STE 101
ROCHESTER NY 14614-2210 US

Represents: GENESEE TRANSPORTATION COUNCIL

MEMBER OF CONGRESS

HON. BARBARA A. MIKULSKI
UNITED STATES SENATE
WASHINGTON DC 20510 US

Represents:

PARTY OF RECORD

CLINTON J MILLER, III, GENERAL COUNSEL
UNITED TRANSPORTATION UNION
14600 DETROIT AVENUE
CLEVELAND OH 44107-4250 US

Represents:

PARTY OF RECORD

G. PAUL MOATES
SIDLEY & AUSTIN
1722 EYE STREET NW
WASHINGTON DC 20006 US

Represents: MOATES SIDLEY & AUSTIN

PARTY OF RECORD

C V MONIN
BROTHERHOOD OF LOCOMOTIVE ENGINEERS
1370 ONTARIO STREET
CLEVELAND OH 44113 US

Represents: BROTHERHOOD OF LOCOMOTIVE ENGINEERS

NON-PARTY

JEFFREY R. MORELAND
THE BURLINGTON NORTHERN SANTA FE CORPORATION
1700 EAST GOLF ROAD
SCHAUMBURG IL 60173 US

Represents:

PARTY OF RECORD

KARL MORELL
BALL JANIK LLP

10/08/1997

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☐ 1455 F STREET NW SUITE 225

WASHINGTON DC 20005 US

Represents: ANN ARBOR RAILROAD
CHICAGO RAIL LINK LLC
CONNECTICUT SOUTHERN RAILROAD INC
GEORGIA WOODLANDS RAILROAD L L C
INDIANA & OHIO RAILWAY COMPANY
INDIANA AND OHIO RAILROAD INC
INDIANA SOUTHERN RAILROAD INC
MANUFACTURERS JUNCTION RAILWAY L L C
NEW ENGLAND CENTRAL RAILROAD INC
NEWBURGH & SOUTH SHORE RAILROAD LTD
NORTHERN OHIO & WESTERN RAILWAY L L C
PITTSBURGH INDUSTRIAL RAILROAD INC

NON-PARTY

JEFFREY O. MORENO
DONELAN CLEARY WOOD MASER
1100 NEW YORK AVENUE N W, SUITE 750
WASHINGTON DC 20005-3934 US

Represents:

PARTY OF RECORD
IAN MUIR
BUNGE CORPORATION
P O BOX 28500
ST LOUIS MO 63146 US

Represents: BUNGE CORPORATION

PARTY OF RECORD
WILLIAM A. MULLINS
TROUTMAN SANDERS LLP
1300 I STREET NW SUITE 500 EAST
WASHINGTON DC 20005-3314 US

Represents: GATEWAY EASTERN Rwy COMPANY
GATEWAY WESTERN RAILWAY COMPANY
NEW YORK STATE ELECTRIC & GAS CORPORATION
THE GATEWAY EASTERN RAILWAYN COMPANY
THE GATEWAY WESTERN RAILWAY COMPANY
THE KANSAS CITY SOUTHERN RAILWAY COMPANY

PARTY OF RECORD
JOHN R NADOLNY, VICE PRESIDENT & GENERAL COUNSEL
BOSTON & MAINE CORPORATION
IRON HORSE PARK
NO BILLERICA MA 01862 US

Represents: B&M
BOSTON AND MAINE CORPORATION
MAINE CENTRAL RAILROAD COMPANY
SPRINGFIELD TERMINAL RAILWAY COMPANY

PARTY OF RECORD
SAMUEL J NASCA

10/08/1997

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☐ UTU STATE LEGISLATIVE DIRECTOR
35 FULLER ROAD SUITE 205
ALBANY NY 12205 US

Represents: UNITED TRANSPORTATION UNION NEW YORK STATE LEGISLATIVE
BOARD

MEMBER OF CONGRESS

ROBERT W. NEY HONORABLE
CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON DC 20515 US

Represents:

NON-PARTY

GERALD P NORTON
HARKINS CUNNINGHAM
1300 19TH ST NW SUITE 600
WASHINGTON DC 20036 US

Represents:

PARTY OF RECORD

SANDRA L NUNN
FROST & JACOBS LLP
201 EAST FIFTH STREET
CINCINNATI OH 45202 US

Represents: SOUTHWEST OHIO REGIONAL TRANSIT AUTHORITY

PARTY OF RECORD

PETER Q. NYCE, JR.
U. S. DEPARTMENT OF THE ARMY
901 NORTH STUART STREET
ARLINGTON VA 22203 US

Represents: DEPARTMENT OF DEFENSE VA
U. S. DEPARTMENT OF THE ARMY

PARTY OF RECORD

KEITH G O'BRIEN
REA, CROSS AND AUCHINCLOSS
1920 N STREET NW, STE 420
WASH DC 20036 US

Represents: OHIO RAIL DEVELOPMENT COMMISSION
PUBLIC UTILITIES COMMISSION OF OHIO

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WOODHARBOR ASSOCIATES
Consultants to Management



July 24, 1997

BY HAND DELIVERY

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20423

I
Andrea - Done 7/24/97
AKL
copy to A. Richards

Re: Finance docket No. 33388, CSX Corporation and CSX Transportation Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company -- Control and Operating Leases/Agreements -- Conrail Inc. and Consolidated Rail Corporation -- Transfer of Railroad Line by Norfolk Southern Railway Company to CSX Transportation, Inc.

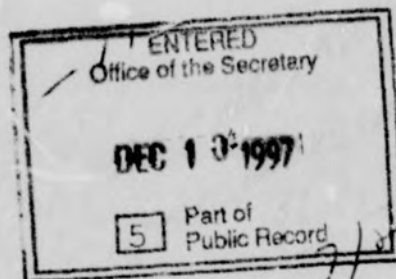
Dear Secretary Williams:

Effective with this letter, I withdraw as a party of record in the above-captioned proceeding. Please remove my name from the service list. I am listed as follows:

Richard J. Schiefelbein
Woodharbor Associates
7801 Woodharbor Drive
Fort Worth, TX 76179

Respectfully submitted,

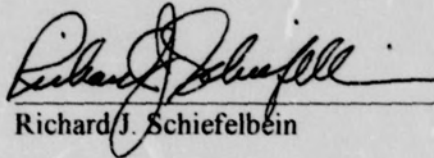
Richard J. Schiefelbein
Richard J. Schiefelbein



WOODHARBOR ASSOCIATES
Consultants to Management

CERTIFICATE OF SERVICE

I hereby certify that I have served this 24th day of July, 1997, a copy of the foregoing notice of withdrawal by first class mail on the Director of the Office of Proceedings, the Honorable Jacob Leventhal, and outside counsel for the Applicants.



Richard J. Schiefelbein