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2-20-97

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Office of the Chairman

Surface Transportation Board  
Washington, D.C. 20423-0001

*File in  
Docket  
FD-33286  
33388*

March 21, 1997

The Honorable John Glenn  
United States Senate  
200 N. High Street, Suite 600  
Columbus, OH 43215  
Attn: Ms. Anisa Bell

Dear Senator Glenn:

Thank you for your letter forwarding correspondence from your constituent, Mr. Edward Caine, regarding the proposed merger of Conrail and CSX. He expresses concern over the competitive harm that would result from the merger of these two railroads.

As you know, Norfolk Southern also has proposed a merger with Conrail. I can assure you that the Surface Transportation Board (Board) is committed to preserving balanced and effective competition in the East regardless of what merger proposal comes before the Board. In that regard, following extensive negotiations, the railroads reportedly have reached an agreement for addressing the competitive concerns raised by these merger proposals. As always, the Board will thoroughly analyze any settlement agreement presented as part of a merger proceeding and will take appropriate action to ensure that competitive concerns are properly remedied.

In the meantime, while we have not yet received a formal application from anyone, we do have proceedings pending before the Board for the proposed CSX/Conrail merger (STB Finance Docket No. 33220) and for the proposed NS/Conrail merger (STB Finance Docket No. 33286). Because these are pending cases, it would be inappropriate for me to comment on the specific merits of these matters. I will have your correspondence and that of your constituent made a part of the public record for the CSX/Conrail case.

I appreciate your interest in these matters. If I may be of further assistance, please do not hesitate to contact me.

Sincerely,

*Linda J. Morgan*

Linda J. Morgan

JOHN GLENN  
OHIO

**United States Senate**  
WASHINGTON, DC 20510-3501

- COMMITTEES:
- GOVERNMENTAL AFFAIRS
  - ARMED SERVICES
  - SELECT COMMITTEE ON INTELLIGENCE
  - SPECIAL COMMITTEE ON AGING

February 7, 1997

Ms. Linda Morgan  
Congressional Affairs  
U.S. Surface Transportation Board  
12th and Constitution Avenue, NW  
Washington, D.C. 20423

RECEIVED  
SURFACE TRANSPORTATION  
BOARD  
FEB 20 10 59 AM '97  
OFFICE OF  
CHAIRMAN MORGAN

Dear Ms. Morgan:

Enclosed please find correspondence from Mr. Edward Caine, President and CEO of WCI Steel in Warren, Ohio, regarding the possible merger of Conrail and CSX.

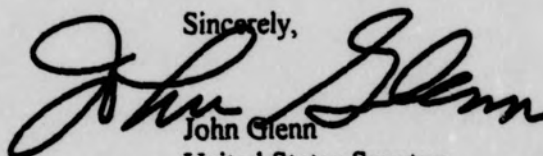
I would appreciate your looking into this situation as soon as possible and look forward to receiving the results of your inquiry. Please direct all correspondence on this issue to my district office at the following address:

Senator John Glenn  
200 N. High Street, Suite 600  
Columbus, Ohio 43215  
ATTN: Ms. Anisa Bell

You may reach Ms. Bell at (614) 469-6697. Thank you for your assistance.

Best regards.

Sincerely,

  
John Glenn  
United States Senator

JG:ab

**WCI STEEL**

Edward R. Caine  
President and CEO

November 26, 1996

*Rec'd in Cols. 2/4/97*

The Honorable John Glenn  
U.S. Senate  
503 Hart Building  
Washington, DC 20515

Dear Senator Glenn:

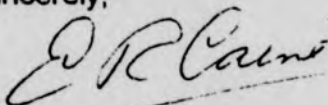
WCI Steel is served at this time by two railroads at our plant in Warren, Ohio. All raw materials, such as iron ore, coke and scrap, are shipped by rail as well as significant amounts of tonnage destined for delivery to our customers. We are speaking about millions of tons of freight shipped annually.

The two railroads now serving WCI are Conrail and CSX. A merger of these two systems at this time appears to be onerous for the continued competitiveness of WCI versus competition serviced by more than one rail system. The threat is that one set of non-competitive rates will be set by CSX. CSX will then likely allow access to WCI by other railroads but set prohibitively high rates for access to the routes, marshaling yards and other needed facilities. In other words, their cost to WCI would be non-competitive.

WCI Steel has invested capital heavily in the past eight years. To date \$260 million in facilities have been completed, with a plan to invest an additional \$200 million in the next five years. All investment is in Ohio.

We need to remain competitive. We need your help. We cannot survive in a non-competitive atmosphere. Please watch the development of this issue on our behalf. WCI Steel cannot be the only company in Ohio that could be negatively impacted. We will be speaking to others in business as well as taking our message to state government.

Sincerely,



Edward R. Caine  
President and Chief Executive Officer

cc: Jack Walter-Director, Corporate Affairs

WCI Steel, Inc.  
1040 Pine Avenue, SE  
Warren, OH 44483-6528  
(330) 841-8211



Office of the Chairman

**Surface Transportation Board**  
Washington, D.C. 20423-0001

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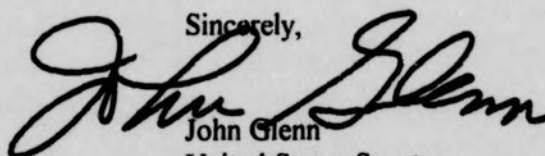
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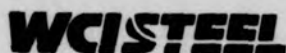
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Office of the Chairman

**Surface Transportation Board**  
Washington, D.C. 20423-0001

*File in*  
*Docket*  
*FD-33286*  
*33388*

March 21, 1997

The Honorable Steven R. Rothman  
U.S. House of Representatives  
Washington, D.C. 20515-3009

Dear Congressman Rothman:

Thank you for your letter forwarding correspondence from your constituent, Mayor George D. Fosdick. Mayor Fosdick seeks certain relief as conditions to approval of the proposed merger of CSX and Conrail.

While the Surface Transportation Board (Board) has not yet received a formal application from anyone, we do have proceedings pending before the Board for the proposed merger of CSX and Conrail (STB Finance Docket No. 33220) and for a proposed merger of Norfolk Southern Corporation and Conrail (STB Finance Docket No. 33286). Because these are pending cases, it would be inappropriate for me to comment on the specific merits of these matters. I do note, however, that your constituents' concern appears to be a private dispute with the Susquehanna Railroad, but he certainly may participate in the environmental review process addressing safety issues or formally as a party of record once a CSX/Conrail merger application is filed with the Board. For more information on this process, please have Mayor Fosdick contact our Office of Public Services at (202) 565-1592.

I am having your letter and that of your constituent made a part of the public record for the CSX/Conrail case. I appreciate your interest in these matters, and if I may be of further assistance, please do not hesitate to contact me.

Sincerely,

*Linda J. Morgan*

Linda J. Morgan

STEVEN R. ROTHMAN  
9TH DISTRICT, NEW JERSEY

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3009**

February 13, 1997

Ms. Amy Northcut  
Chief Executive Officer  
Surface Transportation Board  
12th and Constitution Ave, NW  
Washington, D.C. 20423

RECEIVED  
SURFACE TRANSPORTATION  
BOARD  
OFFICE OF  
CHAIRMAN MORGAN

FEB 20 12 01 PM '97

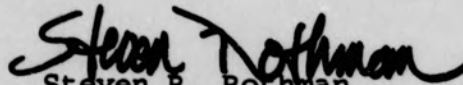
Dear Ms. Northcut:

I am writing on behalf of the Mayor of one of the communities in my District, George D. Fosdick, of Ridgefield Park, New Jersey.

Enclosed you will find a copy of Mayor Fosdick's letter. I would greatly appreciate a member of your staff contacting my legislative director, Jim Wall, at your earliest possible convenience, to discuss this matter.

Thank you for your attention to this critical issue.

Sincerely,

  
Steven R. Rothman  
Member of Congress

SR:has

cc: Mayor George D. Fosdick

JOHN H. ANLIAN  
JOHN B. DAVIS  
Commissioners

GEORGE D. FOSDICK  
Mayor

SARAH WAŁIKOWSKI  
Village Clerk

BRIAN J. HUBERT  
CARMEN A. OCELLO  
Commissioners

JAN 21 1997

# Board of Commissioners



234 MAIN STREET

201 - 641-4950  
FAX NO: 201 - 641-1248

RIDGEFIELD PARK, N. J. 07660

January 17, 1997

Congressman Steven Rothman  
25 Main Street  
Hackensack, NJ 07601

Re: Proposed Merger, Conrail-CSX

Dear Congressman Rothman:

As you know, we are engaged in a longstanding dispute with the Susquehanna Railroad over their location of an engine maintenance facility in our Village.

Very briefly, Susquehanna relocated this facility into Ridgefield Park because it sold its former Ridgefield rail yard/maintenance facility to CSX to allow CSX to develop an intermodal facility. Susquehanna located this facility adjacent to one of our parks and nearby to residential areas. The engine yard has been demonstrated to be a persistent threat to the safety, health, and well being of our residents. Further, because we are pursuing legal action against Susquehanna, Susquehanna is refusing to allow us to place much needed sewer separation lines under their tracks. Previously, such permission was granted as a matter of courtesy.

Inasmuch as CSX is a principal player in our problem with Susquehanna, we believe the proposed CSX-Conrail merger provides us with an opportunity to again try to resolve this problem. You have supported our position in the past and we specifically request that you contact all agencies involved in reviewing the proposed CSX-Conrail merger and request that as a condition of the merger, these three conditions be addressed:

- 1] Removal of the Susquehanna engine maintenance facility from Ridgefield Park.
- 2] Restoration of the Conrail Bridge over the Overpeck Creek to operable condition (in compliance with previously issued Coast Guard directives).

Page 2

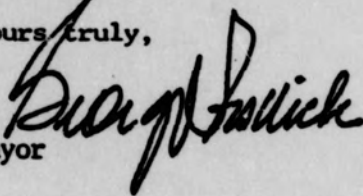
- 3] Address the several grade crossing problems which have already been created by the increased rail traffic.

We thank you for your past efforts on our behalf. We hope the proposed merger will provide an opportunity to finally reach a solution

Thank you.

Yours truly,

Mayor

A handwritten signature in dark ink, appearing to read "George J. Sullivan". The signature is written in a cursive, flowing style. It is positioned over the printed name "George J. Sullivan" and the title "Mayor".

cc: Board of Commissioners  
M. T. Durkin, Esq.  
Citizens Committee

STB

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MOCNJ





Office of the Chairman

**Surface Transportation Board**  
Washington, D.C. 20423-0001

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Docket  
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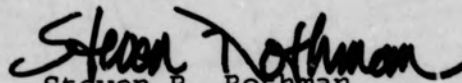
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Member of Congress

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# Board of Commissioners



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Mayor

cc: Board of Commissioners  
M. T. Durkin, Esq.  
Citizens Committee

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MOC S



Office of the Chairman

**Surface Transportation Board**  
Washington, D.C. 20423-0001

*File in*  
*Docket*  
*JD-33220*  
*33388*

March 21, 1997

The Honorable Joseph R. Biden, Jr.  
United States Senate  
Washington, D.C. 20510-0802

Dear Senator Biden:

Thank you for your letter forwarding correspondence from your constituent, Mr. Arthur Annone. He expresses concern over the effect on rail traffic through New Castle County, Delaware, by a proposed merger of Conrail Inc. and CSX Corporation.

While the Surface Transportation Board (Board) has not yet received a formal application from anyone, we do have proceedings pending before the Board for the proposed merger of CSX and Conrail (STB Finance Docket No. 33220) and for a proposed merger of Norfolk Southern Corporation and Conrail (STB Finance Docket No. 33286). Because these are pending cases, it would be inappropriate for me to comment on the specific merits of these matters. I assure you, however, that the Board must and will conduct a thorough environmental review, including the consideration of safety issues, in reaching a decision on a major merger transaction such as the proposed CSX/Conrail consolidation. We welcome public participation in the environmental review process.

I am having your letter and that of your constituent made a part of the public record for the CSX/Conrail case. I appreciate your interest in these matters, and if I may be of further assistance, please do not hesitate to contact me.

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# United States Senate

WASHINGTON, DC 20510-0802

January 27, 1997

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Surface Transportation Board  
1201 Constitution Ave. NW  
Washington DC, 20432

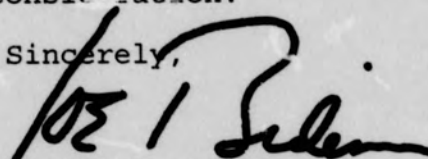
Dear Chairwoman Morgan:

A constituent of mine, Mr. Arthur Annone, has contacted me regarding the proposed merger between CSX and Conrail. For your information, I have enclosed a copy of her letter.

I would appreciate any information you can provide that would help me respond to Mr. Annone's concerns. If you have questions regarding my request, please feel free to contact Jay Rupert of my staff at (202) 224-5042.

Thank you for your consideration.

Sincerely,



Joseph R. Biden, Jr.  
United States Senator

Enclosure

OFFICE OF  
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FEB 10 2 38 PM '97

RECEIVED  
SURFACE TRANSPORTATION  
BOARD



817 Bezel Road  
Shipley Ridge  
Wilmington, DE 19803  
302-762-3525

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Honorable Joseph R. Biden  
221 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Biden:

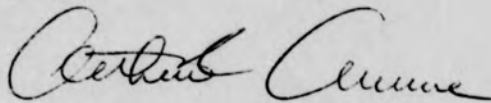
As a resident of North Wilmington, I write this letter out of concern regarding the possible merger of Conrail Inc. and CSX Corp.

I have read with growing alarm articles in the NewsJournal paper that the newly formed rail transportation company will discontinue using Conrail lines and increase usage on CSX lines. Since I own a house located approximately 200 feet from the CSX line that runs through New Castle County, this information causes me to worry for the safety of my wife and two children.

It seems to make sense that the Conrail lines that run along less populated and more industrial areas of New Castle County are the appropriate place for these trains, many of which carry hazardous materials. This would allow a large number of people located along the CSX lines in New Castle County to sleep better at night knowing that they won't have to wake up and evacuate their home because of an unforeseeable train accident. Quite frankly, they would also sleep better at night without the increased noise pollution and smoke that comes from these diesel engines.

I hope that you understand the concern that this matter gives me, and see fit to put your valuable time in to researching what can be done to protect the quality of life for citizen's of Delaware that this increased rail usage would diminish. Please feel free to contact me if you have any questions or comments.

Sincerely,



Arthur C. Annone

LJR  
TEO  
#232427



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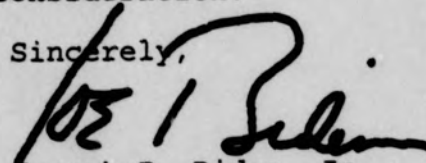
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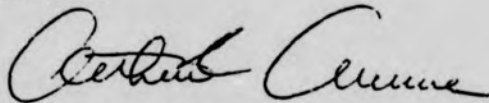
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*MCS*





Office of the Chairman

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Washington, D.C. 20423-0001

*File in  
Docket  
FD- ~~33220~~  
33388*

March 21, 1997

The Honorable Charles S. Robb  
United States Senate  
Washington, D.C. 20510-4603

Dear Senator Robb:

Thank you for your letter forwarding correspondence from your constituent, Mr. Kenneth David Elliott, regarding the proposed merger of Conrail and CSX. He expresses concern over the competitive harm that would result from the merger of these two railroads.

As you know, Norfolk Southern also has proposed a merger with Conrail. I can assure you that the Surface Transportation Board (Board) is committed to preserving balanced and effective competition in the East regardless of what merger proposal comes before the Board. In that regard, following extensive negotiations, the railroads reportedly have reached an agreement for addressing the competitive concerns raised by these merger proposals. As always, the Board will thoroughly analyze any settlement agreement presented as part of a merger proceeding and will take appropriate action to ensure that competitive concerns are properly remedied.

In the meantime, while we have not yet received a formal application from anyone, we do have proceedings pending before the Board for the proposed CSX/Conrail merger (STB Finance Docket No. 33220) and for the proposed NS/Conrail merger (STB Finance Docket No. 33286). Because these are pending cases, it would be inappropriate for me to comment on the specific merits of these matters. I will have your correspondence and that of your constituent made a part of the public record for the CSX/Conrail case.

I appreciate your interest in these matters. If I may be of further assistance, please do not hesitate to contact me.

Sincerely,

*Linda J. Morgan*  
Linda J. Morgan



CHARLES S. ROBB  
VIRGINIA

WASHINGTON OFFICE:  
Russell Senate Office Building  
First and Constitution Avenue, NE, Room 154  
Washington, DC 20510  
(202) 224-4024  
Email: senator@robb.senate.gov

United States Senate  
WASHINGTON, DC 20510-4603

COMMITTEES  
ARMED SERVICES  
FOREIGN RELATIONS  
INTELLIGENCE  
JOINT ECONOMIC COMMITTEE  
Vice Chairman  
Democratic Policy Committee

December 26, 1996

Mr. Richard S. Fitzsimmons  
Director, Office of Congressional Services  
Surface Transportation Board  
1201 Constitution Avenue, N.W.  
Room 4146  
Washington, DC 20423

Dear Mr. Fitzsimmons:

I have been contacted by Mr. Kenneth David Elliotte of the Stone Container Corporation in Hopewell, Virginia, expressing concern about the possible merger of CSX and Conrail. I am enclosing a copy of the correspondence I've received.

I would appreciate it if you could review the letter and respond to the concerns raised by Mr. Elliotte. Many thanks for your consideration.

Sincerely,

*Charles S. Robb*  
Charles S. Robb

CSR/egf  
Enclosure  
cc: Mr. Kenneth David Elliotte

RECEIVED  
SURFACE TRANSPORTATION  
BOARD  
DEC 30 2 50 PM '96  
OFFICE OF  
CHAIRMAN MORGAN  
CHAIRMAN MORGAN

State Office:  
The Ironfronts, Suite 310  
1011 East Main Street  
Richmond, VA 23219  
(804) 771-2221

Regional Offices:  
Dominion Towers, Suite 107  
999 Waterside Drive  
Norfolk, VA 23510  
(804) 641-3124

First Union Bank Building  
Main Street  
Clermont, VA 24226  
(804) 526-4104

Signet Bank Building  
530 Main Street  
Dorville, VA 24541  
(804) 791-0330

Crestar Bank Building  
310 First Street SW, Suite 102  
Roanoke, VA 24011  
(540) 985-0103





# Stone Container Corporation

Containerboard and Paper Division

910 Industrial Street, P.O. Box 201, Hopewell, Virginia 23860

Hopewell Mill

804.541.9600

December 13, 1996

The Honorable Charles S. Robb  
U.S. Senate  
493 Russell Senate Office Building  
Washington, DC 20510

Dear Senator Robb:

This letter is written to you because, quite frankly, I really don't understand how to ensure that competition will be protected in the pending CSXT & Conrail merger. I am not opposed to the merger but I am absolutely convinced that without governmental involvement in structuring this merger that the results will be higher freight rates due to a reduction in rail competition.

Attached is a general position paper for your review. The concept of protecting rail competition by ensuring access to the Conrail markets by both NS & CSXT is my only point. There are many ways to accomplish this if a government and shippers representative is part of the merger agreement process.

If this remains only a railroad company issue, the shipping public will be paying unnecessarily higher freight rates. It is imperative that the government get involved at this point. This will prevent abuse and minimize the need for a future Interstate Commerce Commission type resurrection.

Your consideration of this matter would be greatly appreciated.

Sincerely,

Kenneth David Elliotte  
Manager Traffic & Materials Coordination

KDE:bbf

Attachment



# Stone Container Corporation

INTERNAL CORRESPONDENCE

DATE: December 13, 1996

To: Location:  
From: K. D. Elliotte Location: Hopewell, Virginia Transportation  
CC: Subject: **The Future of Competition in the Northeast**

The announced CSXT & NS merger combination with Conrail will be progressing through the regulatory and judicial systems in the months ahead. It is very important that you get involved to protect the shipping public's ability to continue to operate in a competitive environment.

It is absolutely essential to the well being of many citizens that this combination be devised in a manner to foster "keen" railroad to railroad competition. The CSXT & NS are very capable of protecting their best interest whereas the shipping public will require intervention of the Justice Department and their state and federal elected officials to ensure fair treatment. The perfect way to minimize the need of long term governmental supervision is to now assist in the design of a railroad system that encourages and promotes competition.

The elements of the combination railroad should include:

- A. All existing Conrail stations be open for service by any railroad.
- B. All stations of the existing NS and CSX systems be open to the other railroad.
- C. Eighty-five (85) percent of the existing Conrail stations be made available for service by both NS & CSXT (through direct ownership of trackage & operating yards.)
- D. Switching charges between CSXT & NS be federally regulated to ensure the rate is nominal, fair, does not interfere with access, and does not escalate in an uncontrolled fashion.

Rail and truck competition is not adequate by itself but we must also have rail to rail competition to ensure low cost of transportation. Low cost of transportation directly translates to lower cost for all Americans as they buy their daily needs.

Please get involved and make sure that both CSXT & NS railroads are competitive in the Northeast. We cannot leave it to NS & CSXT to divide the market in a monopolistic fashion.

Your review of this matter is greatly appreciated.

Kenneth David Elliotte

KDE:bbf



A higher level of excellence.



Office of the Chairman

**Surface Transportation Board**  
Washington, D.C. 20423-0001

*File in  
Docket  
FD - ~~33286~~  
33388*

March 21, 1997

The Honorable Charles S. Robb  
United States Senate  
Washington, D.C. 20510-4603

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Danville, VA 24041  
(804) 791-0230

Coastal Bank Building  
310 First Street SW, Suite 102  
Roanoke, VA 24011  
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