

STB

FD-33388

6-19-01

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PUBLIC



Office of the Chairman

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

FILE IN DOCKET

FD-33388

June 19, 2001

Ms. Betty I. Loeb
666 W. Germantown Pike - 409S
Plymouth Meeting, PA 19462

Dear Ms. Loeb:

Thank you for your recent letter supporting the Surface Transportation Board's (Board) action in requiring Norfolk Southern (NS) to show why it should not be ordered to cancel its proposed shut-down of its Hollidaysburg Car Shops. You also express concern, in general, about NS' rail operations in Pennsylvania, particularly in the Altoona area.

As you probably know, the proceeding begun by the Board to examine the proposed closing of the Hollidaysburg Car Shops remains ongoing. NS' submission in response to the Board's order is now due June 25, 2001, and any replies to the NS submission are due by July 16, 2001. NS has committed not to close the Hollidaysburg Car Shops before October 1, 2001. Because the proceeding is pending before the Board, it would be inappropriate for me to comment further on the case.

I appreciate your concern in this matter. I will have your letter and my response made a part of the public docket for this proceeding.

Sincerely,

Linda J. Morgan
Linda J. Morgan

Betty Ilean Loeb
666 W. Germantown Pk. -409S
Plymouth Meeting, PA 19462
(610) 828-2443

June 2, 2001

Linda J. Morgan, Chairman
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

FILE IN DOCKET

OFFICE OF
CHAIRMAN MORGAN

2001 JUN -5 P 2:51

RECEIVED
SURFACE TRANSPORTATION
BOARD

Dear Chairman Morgan:

Your action directing Norfolk Southern to show why your Board should not order it to cancel its proposed September first closing of the Hollidaysburg, PA Railcar Shops was music to my ears and to the ears of the thousands who are personally concerned with the failure of NS to fulfill its commitment to Altoona. Hooray for you!

In March, 2001, I wrote to Vernon Williams, whom I was told was the chairman of the Surface Transportation Board. I pointed out that from day one, NS has botched its job of running the railroad it seemingly wanted so badly. It fouled up freight traffic so badly that shippers now use trucks. It ruined passenger service, with three and four-hour delays not uncommon. Norfolk Southern's excuse: its computers. After having had two years to plan its takeover, and with kids aged ten able to crack government computers, that's a ridiculous excuse.

Workers in the Hollidaysburg Carshops say NS has turned down jobs and is trying to renege on a commitment to service 1,000 rail cars from CSX Corp. at the shops. So one could assume NS just wants to get rid of the shops; had no intention of keeping them open--regardless of its commitment to the Transportation Board in order to take over Conrail.

NS also intends to get rid of 12,000 railroad cars over the next year, according to Richard Timmons, NS's Vice President of Public Affairs in a statement made at the April 12 hearing in Altoona. And word has it that they plan to get rid of all rolling stock and lease back just what they need. Isn't that nice--for NS?

My question to Vernon Williams was: why isn't Norfolk Southern held accountable for its failure to run the railroad formerly operated by Conrail?

Why shouldn't NS be replaced by another company who will do the job? Pennsylvania needs the vital rail line that the Pennsylvania Railroad built across the State, not only for freight, but also for passenger service. This is a vital link in United States' cross-country transportation and tied to New York via tunnels that the PRR built.

Where else can shops as large, well-equipped, and skillfully manned as the Hollidaysburg and Juniata shops in Altoona be found?

And if railroads are to be revived--as certainly they must, what with highways gridlocked, and airline officials now admitting air traffic is gridlocked for at least the next ten years--our country needs every fine locomotive and car shop that exists to keep rolling stock rolling.

Altoona, with its skilled workers--probably the majority from second and third generation PRR families--is the ideal city for performing the work that will need to be done to revive America's rail transportation. To allow its shops to close would be an enormous mistake. Not only that, it would destroy Altoona's identity and its pride. Its men faithfully spent their entire working lives in those shops.

Rather than pouring more billions into high-speed rail lines to serve commuters in the Northeast Corridor, it's time to revive other important rail lines.

We will never be able to afford all the new and wider highways that more and more cars and trucks require. New highways are overloaded the day they open. I know firsthand that the Pennsylvania Turnpike is probably 90% trucks now, a mighty dangerous situation for drivers of automobiles.

Railroads are the best form of mass transportation every devised. We need them in time of crisis. The success of every conflict since the Civil War has been attributed to the efficiency of railroads for moving men and materiel. We also desperately need urban light rail service as well as improved long-distance service.

If Conrail is still in existence, could it not take over control of what NS now holds?

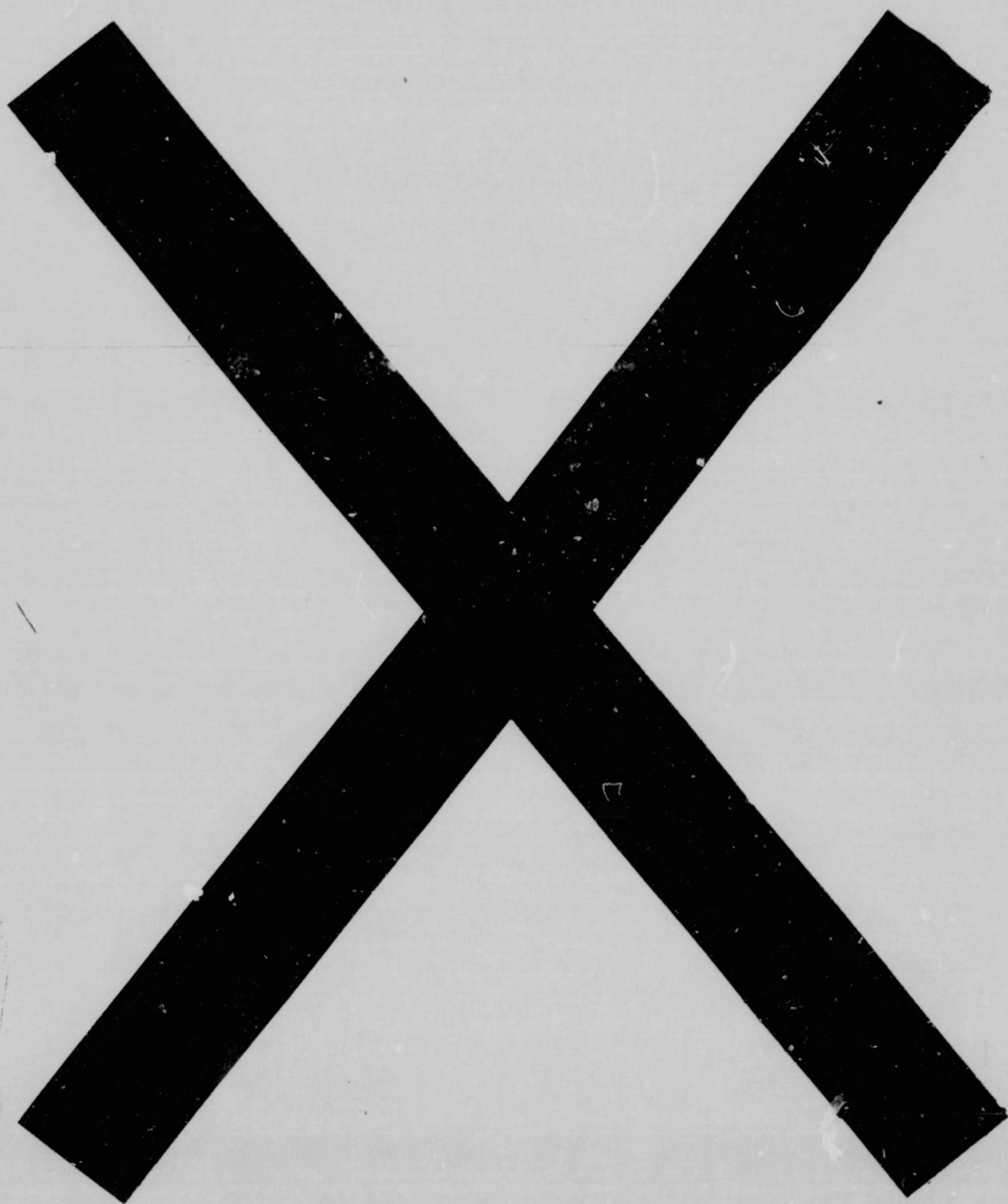
Altoona is my hometown. I have written its history in my book titled Altoona and the Pennsylvania Railroad--Between A Roar and a Whimper. In August, my second book titled Voices of the Pennsylvania Railroad will be published by the Altoona Mirror. This book includes the oral biographies of men and women who worked for the Pennsy. Altoona's fate is dear to my heart.

I commend you for the action taken with regard to Norfolk Southern, and I would greatly appreciate receiving news about the results of this and any other action your Board may take.

Sincerely,

Betty Loeb

Copies to: State Representatives Kate Harper and Rick Geist



STB

FD-33388

6-1-01

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Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191
Telephone (757) 629-2610
Facsimile (757) 629-2306

David R. Goode
Chairman, President and
Chief Executive Officer

May 29, 2001

FILE IN DOCKET

FD-33388

RECEIVED
SURFACE TRANSPORTATION
BOARD
2001 JUN -1 P 1:58
OFFICE OF
CHAIRMAN MORGAN

The Honorable Linda J. Morgan
Chairman
Surface Transportation Board
1925 K Street, N.W., Suite 820
Washington, D.C. 20423-0001

Dear Chairman Morgan:

Thank you for your letter of May 18, 2001, regarding Hammond, Indiana, and the Four City Consortium. As you are aware, this is a key transportation corridor for Norfolk Southern and resolving issues in this region has been a high priority for me throughout the transaction process.

As acknowledged in your letter, we are in pending litigation with the City of Hammond regarding a dispute over ticketing of our trains. At the same time, we have maintained an ongoing dialogue with the Four City Consortium (FCC) regarding a myriad of issues related to this corridor. We have been successful in reducing some of the congestion by improving the infrastructure. We supply a monthly report to the FCC as per Decisions 89 and 96, Appendix Q, Condition 21i; we also attend the regular meetings of FCC.

Norfolk Southern fully concurs in your disinclination to become involved in the current litigation. We would point out that litigation was initiated only after our attempts to settle the problems were unsuccessful, and the fines levied by the City of Hammond approached \$3 million. Even now, while Norfolk Southern is confident that the basis for our declaratory judgment action is sound, we have renewed settlement discussions in the last few weeks, and we have informed the City of the type of agreement we can agree to, but do not believe the current positions will result in a settlement. However, as Hammond has pointed out in filings with the court, Norfolk Southern has been very successful in identifying and implementing measures to increase the efficiency of train movements through Hammond and has diminished circumstances in which grade crossings are blocked for extended periods of time. While our legal positions are apart, the practical problems are abating.

The Honorable Linda J. Morgan

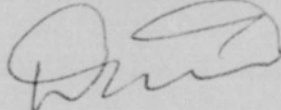
May 29, 2001

Page Two

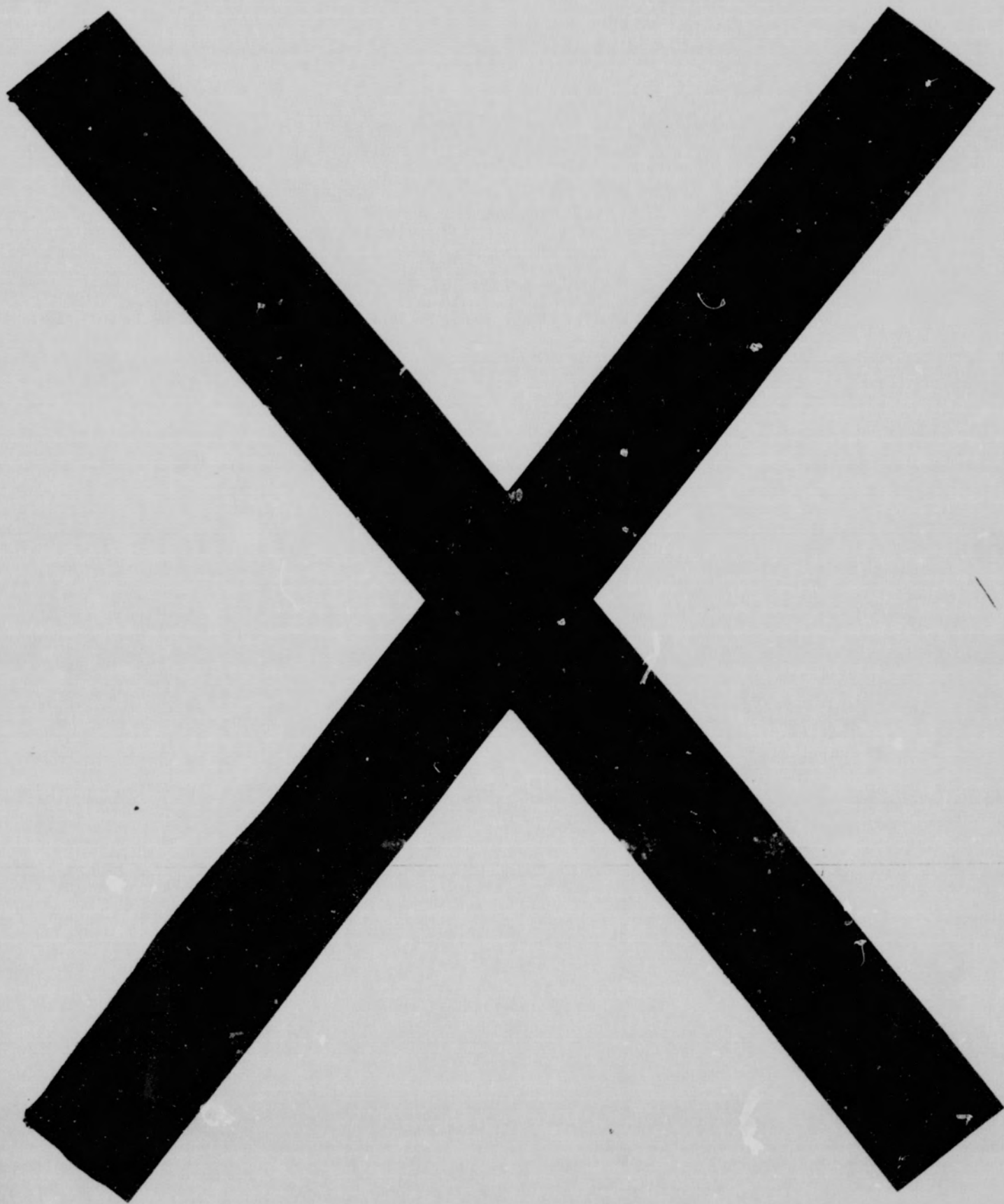
Norfolk Southern will continue to comply with the Board's condition regarding FCC and we will continue to seek a fair and equitable resolution to our unresolved issues.

I will keep you advised of our progress.

Very truly yours,

A handwritten signature in dark ink, appearing to read "David R. Goode", written over a horizontal line.

David R. Goode



STB

FD-33388

6-1-01

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PUBLIC



Office of the Chairman

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

FILE IN DOCKET

June 1, 2001

FD-33388

Mr. Freddy Wynn
109 Freeman Road
Quinton, Alabama 35130

Dear Mr. Wynn:

Thank you for your recent letter regarding railroad mergers. In particular, you discuss your experience as an employee following the acquisition of Conrail by CSX and Norfolk Southern.

As you know, the Surface Transportation Board (Board) must consider the interests of railroad employees affected by a proposed merger such as the Conrail transaction. If approved, the Board must impose the New York Dock conditions to protect employees adversely impacted by the approved transaction, which the Board has done in the Conrail proceeding. Also, as you may know, recent mergers, including the Conrail transaction, have had the support of various segments of rail labor. Regardless, I certainly can understand and appreciate your concerns.

In this regard, I am having your letter and response placed in the public record for the Conrail acquisition transaction.

Sincerely,

Linda J. Morgan
Linda J. Morgan

RECEIVED
SURFACE TRANSPORTATION
BOARD

2001 MAY 21 P 2: 26

OFFICE OF
CHAIRMAN MORGAN

FILE IN DOCKET

May 18, 2001

FREDDY WYNN
109 FREEMAN ROAD
QUINTON, AL. 35130
Ph(205) 648-6339

Email: USWYNN@bellsouth.net

DEAR MRS MORGAN,

Hi. My name is Freddy Wynn. I work for NORFOLK Southern Railroad, at the Frog Shop, in IRONDALE, Alabama. Madam, I Am writing you this letter to let you know what is on my mind, and how I feel. When are we going to stop the mergers of large Railroads? All we could hear before the buy out of Conrail was how much it was going to help us. Well, it has help us out of our jobs. I along with about twenty other employees were laid off in December of 2000. The Railroads make all these promises of how none of us is going to lose their jobs is a laughing joke. ARE unemployment RUPs out at the end of the month, and our health insurance stoped at the frist of the month. We see the CEO, and Vice Presdients Recieved big raises, and they are still going to get their stock options. What about the employees? When is someone going to do something about these situations. If the Railroads wants to buy out another Railroad, then they should have to guarantee the jobs of their employees.

for ten years. We understand that our shop is for sale. They have carried groups of potential buyers through when the shop was ~~not~~ in operation. The first thing that is done when there is financial trouble is to lay off employees and to stop maintenance. I would like to be able to see the records of their spring frog replacements, and stock rail. Either they are buying them elsewhere or they are not replacing them like they were.

Madam, I am asking you to put pressure on Norfolk Southern to give our jobs back. I know that you can not force them to do this, but your board could make it very hard on them. I will appreciate every effort you make.

Thank you and God Bless You and Your Family

Freddy Wynn

109 FREEMAN Road

Quinton, AL 35130

Ph (205) 648-6339

Email: uswynns@bellsouth.net

P.S. Madam, I need to work all I can. I have a son in college, and my wife is unable to work at this present time because of health reasons.

God Bless you,
Freddy Wynn



STB

FD-33388

5-18-01

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CITY



Office of the Chairman

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

FILE IN DOCKET

May 18, 2001

JK-33388

The Honorable Duane Dedelow
Mayor
The City of Hammond
5925 Calumet Avenue
Hammond, Indiana 46320

Dear Mayor Dedelow:

This letter responds to your correspondence of April 27, regarding the recent success of the Four City Consortium in reaching a very important agreement with CSX and your concerns for the future of similar negotiations with Norfolk Southern (NS). It was a great pleasure for me to join you at the signing ceremony with the Consortium and CSX as they embarked on their new cooperative agreement. As I have indicated, I am always heartened when private parties can come together to resolve issues between them because I believe that private-sector resolution is the most satisfactory. And I am always ready to be a catalyst for such agreements.

However, I recognize that the agreement reached by the Four Cities does not resolve remaining issues with NS, and that litigation has been instituted by NS in response to the ticketing by the Hammond City Police Department of NS trains at crossings within the city. While I cannot comment on the specific litigation, I am concerned that the parties may be missing an opportunity for a negotiated settlement by participating in such an involved process. In that regard, I am forwarding your letter to David Goode, Chairman, President, and CEO of NS, suggesting the benefits of a negotiated compromise agreement. You have indicated that, through your informal meetings with local NS officials, substantial improvement has been realized in certain of NS's operations through Hammond. That makes me hopeful that a resolution of this matter could be close at hand.

I am grateful to have been a part of the Four Cities process, and I will look forward to the successful resolution of remaining issues. Please do not hesitate to contact me if we can be helpful in the future.

Sincerely,

Linda J. Morgan

cc: David Goode, Chairman, President, and CEO
Norfolk Southern Corporation



Office of the Chairman

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

FILE IN DOCKET

May 18, 2001

Mr. David R. Goode
Chairman, President and
Chief Executive Officer
Norfolk Southern Corporation
3 Commercial Place
Norfolk, Virginia 23510-2191

Dear Chairman Goode:

I am writing to make you aware of correspondence that I have recently received from Duane Dedelow, Mayor of the City of Hammond. I have enclosed a copy for your information.

Mayor Dedelow, in recognizing my support for the recently signed agreement between CSX and the Four City Consortium on various issues of concern between them, has raised similar issues involving NS that remain unresolved. As is made clear by my enclosed response to Mayor Dedelow, I am aware that NS is involved in litigation with the City of Hammond, and I naturally have not attempted to insert myself into that process. I do believe, however, that there are important benefits to a negotiated settlement that would allow for compromise on both sides.

In this vein, I hope that you will consider the concerns that have been raised, and that you will keep me informed of progress made in this matter.

Sincerely,

Linda J. Morgan

Enclosure



Robert A. Pastrick
MAYOR



Scott King
MAYOR



Duane Dedelow
MAYOR



Robert J. Bercik
MAYOR

THE CITIES OF EAST CHICAGO, INDIANA; GARY, INDIANA;
HAMMOND, INDIANA; AND WHITING, INDIANA, COLLECTIVELY

THE FOUR CITY CONSORTIUM

April 27, 2001

Honorable Linda J. Morgan
Chairwoman
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

FILE IN DOCKET

OFFICE OF
CHAIRMAN MORGAN

2001 MAY 4 A 11:59

RECEIVED
SURFACE TRANSPORTATION
BOARD

COMMON ADDRESS:
6949 Kennedy Avenue, Suite E
Hammond, Indiana 46323
(219) 844-3025
Fax: 844-3400

Dear Chairwoman Morgan:

On behalf of the citizens of Hammond, Indiana, I wish to thank you for coming to Northwest Indiana last week for the Press Conference announcing the settlement agreement reached between the Four City Consortium and CSX Railroad Corporation. Your participation here on a local level certainly underscored the importance of the agreement.

Although I firmly believe the newly reached settlement agreement with CSX will relieve at-grade crossing delays, traffic congestion, and generally improve the quality of life in North Hammond and in Hammond's sister Cities in the region, citizens in Central and South Hammond continue to be negatively impacted by Norfolk Southern's post acquisition operations on the Nickel Plate line. Between January 1, 2000 and December 31, 2000, the Hammond City Police Department issued 1,893 tickets to Norfolk Southern for violation of City ordinance, State time limits, and successive train traffic. Norfolk Southern Railway responded to the tickets by filing suit against the City of Hammond in the local Federal Court alleging, in essence, FRA pre-exemption and interference with Interstate Commerce. In brief, it is the City's position that its local ordinance doesn't conflict with the FRA as the ordinance is not related to railroad safety but, rather, the ordinance is intended to prevent extended blocking of public streets which is a proper matter for local regulation. Further, it is the City's position that its Police Department is not interfering with Interstate Commerce but that it is, instead, the railroad's needless, extended blocking of at-grade crossings that interferes with Interstate Commerce such as the trucking industry's inability to move loads of goods and steel due to the blocked crossings.

The Four City Consortium has been meeting with CSX Railroad, Norfolk Southern Railroad, and Indiana Harbor Belt Railroad on a regular basis since the acquisition. Installation of a switch at Osborn and an informal agreement reached between Four City representatives and Norfolk Southern operating personnel during the monthly meetings have reduced the long wait at at-grade crossings and resulting traffic snarls in Central and South Hammond since the beginning of the year. The City has been unable, however, to reach any formal agreement with Norfolk Southern Railroad.

During the recent Press Conference, CSX Chairman, John Snow made it very clear that as Chairwoman of the Surface Transportation Board you had been the catalyst necessary for the parties to reach the private partnership agreement announced between the Consortium

Working Together to Build a Better Tomorrow

Honorable Linda J. Morgan
Chairwoman

April 27, 2001

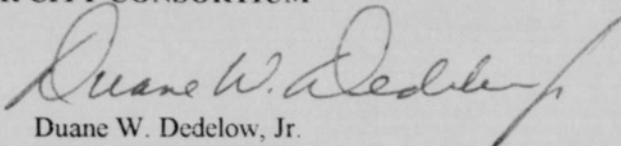
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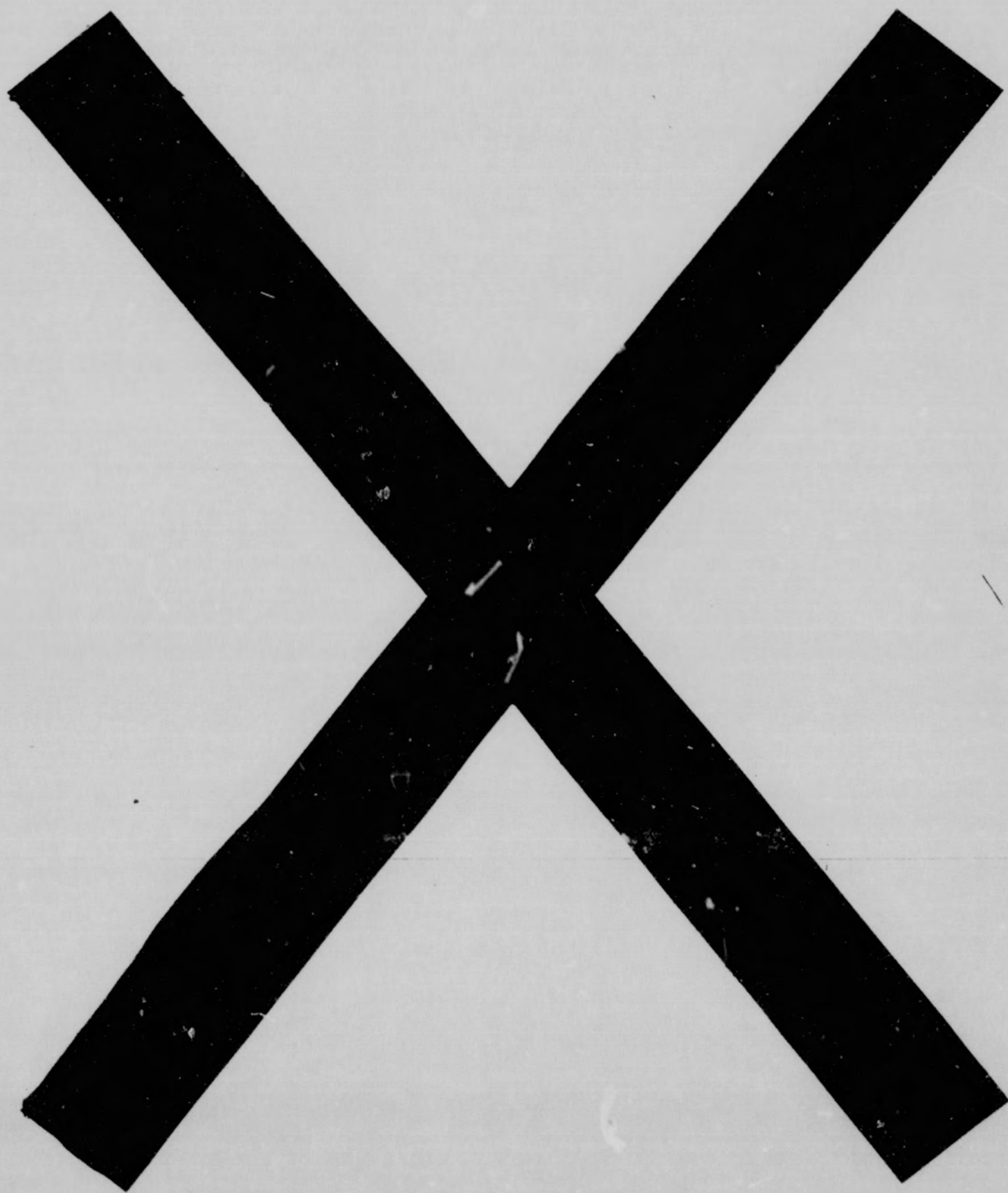
and CSX Railroad. I respectfully request any assistance you may be willing to provide to help the Four City Consortium reach a similar comprehensive agreement with Norfolk Southern Railroad.

I greatly appreciate your consideration of my views and your understanding of the importance of addressing this critical regional issue.

Very truly yours,

FOUR CITY CONSORTIUM


BY: Duane W. Dedelow, Jr.
Mayor, City of Hammond



STB

FD-33388

5-15-01

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UNION



Office of the Chairman

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

FILE IN DOCKET

FD-33388

May 15, 2001

Mr. Edward J. Piet
1088 Old Post Road
South Park, PA 15129

Dear Mr. Piet:

I have received telefax copies of your letters of March 26 and May 3, 2001, and of the April 17, 2001 letter to you from General Chairman Anthony Santoro of the Transportation • Communications International Union (TCU). In your correspondence, you discuss the problems that you have had following approval by the Surface Transportation Board (Board) of the acquisition of Conrail by CSX and Norfolk Southern. You also express opposition to the Conrail acquisition transaction in general.

In his April 17, 2001 letter to you, TCU General Chairman Santoro has provided a detailed response to your concerns, and you should continue to work with your union representatives to address any further employment problems. Also, as you know, in approving the Conrail acquisition transaction, the Board imposed the New York Dock labor protective conditions. Article I, Section II of New York Dock provides procedures for resolving disputes related to the Conrail transaction. Your union representatives can assist you with those procedures, as well.

I will have your correspondence and my reply made a part of the public docket in the Conrail acquisition proceeding. I appreciate your concerns, and hope that they are satisfactorily resolved.

Sincerely,

Linda J. Morgan

Linda Morgan
Cairperson
Surface Transportation Board

March 26, 2001

FILE IN DOCKET

On July 23, 1998 the Surface Transportation Board issued a written decision carrying out the Board's vote in granting the Csxt and Ns to acquire Conrail. This was said to be for the purpose of braking up the monopoly of Conrail. Well I cannot see to understand this point, before we had three Railroads: Conrail, Csxt and NS. But now we have only two Railroads Csxt and Ns. This seems to me you are creating a monopoly. For now I hear the NS is having problems in money matters and wants to merge with the BN. We're running short on Railroads. To me this brake up of Conrail should not have been granted. First it should not have been sold to Csxt and the NS. It should have been just the Csxt or NS to take over the whole thing. If neither one could take the whole thing over, then Conrail should have remained as is, until someone came forward to take it all over. Ever merger I have read or heard of involved one company taking over another. Not two companys taking over one and fighting over who gets which half.

Well here I am part of the clerical positions on Conrail split among CSXT, NS and the Shared Assets area. Lucky me, I got the clerical position on the Shared Assets area. Well it is one year four months here in Shared Assets in Mt. Laurel, New Jersey. The move here was very expensive, not only living here. This was not adjusted in our moving expenses either. That is a problem I am hoping you can help me with. Back in December 6, 1999 after we had to leave Pittsburgh and head for Mt. Laurel it was said the CSXT would be leaving later that month and the so call Supplemental Board (furlough) people would be released at the end of December. Not so the CSXT did not

leave Pittsburgh nor did the Supplemental Board be released. The CSXT has been the longest to keep operating in Pittsburgh's NCSC Center. It is said they will be all transferred to Jacksonville by the end of May 2001. In turn the Supplemental Board will be desolved and the people to on it will be furloughed, but this seems not to be so. Some of them are being offered jobs they had covered, moving package and able to keep their Seniority also.

This to me is against everything that was told me on the run down. It was said that if we could not hold a CSXT position on run down date, we had to pick a job on NS, SAA or go furlough (Supplemental Board) not protected. That is Supplemental Board would work till end of Dec.1999, and at that time could not bid or move with jobs they protected. Well so far the Supplemental Board has been well-protected and able to go on working and able to bid for jobs. This also allows them to go to Jacksonville with a moving package and Seniority.

I feel I have been delt an injustice by the CSXT, by having to go to New Jersey on SAA job. The cost and inconvienece of being here has my family and myself at unfair disadvantage. I could still be in Pittsburgh living in my home there and not having to pay coutragous rent here in Mt. Laurel, NJ.

I have presented this to my Local Union Chairman and have not received a reply as yet. I think the people who had to go with SAA to New Jersey and myself are owed more money by CSXT & NS for the living expense we have had to incured here for the time they have keep the Supplemental Board still operating.

There is another problem happening here in SAA, the CSXT & NS are saying it is costing them to much to operate. They do not want to hire any clerks. In turn they want overtime cut, but blanking jobs. This to me I have found that the customers are not getting serviced. Which in turn is costing them money, but who cares about the customer. As

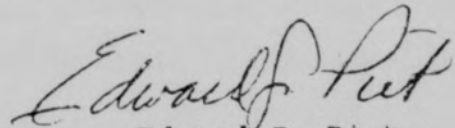
long as the CSXT and NS do not have to pay overtime.

This is not what we were trained to do on Conrail in the 27 Years I have worked for them. In the time I have worked here in SAA the customers know me and the new ones I have brought in. I feel they are being cheated and some of them who suffered thru this merger have lost their business mainly account of how the management the CSXT & NS have delt them.

One more final point the only one who makes out on these mergers are the managers for these companys they seem to give themselves large buy outs, which seems to rob the company. I had stock in Conail before the take over the CSXT and NS wanted me to trade it for theirs. I did not I put it into bonds. In turn I have turned the money over two fold. I knew this would not work for CSXT and NS, but you let happen.

I think the economy will not get better unless these mergers are stopped today. We need competition not mergers.

In closing I thank you for your time for reading my letter, and hope to hear from you.



Edward J. Piet
1088 Old Post Road
South Park, PA. 15129

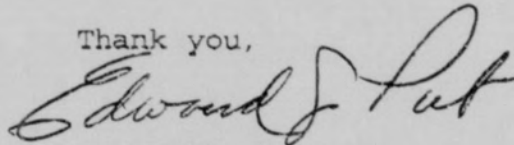
cc: All Pennsylvania Senators
All Pennsylvania Congressmen
Association for Union Democracy

Linda Morgan
Chairperson
Surface Transportation Board

May 3, 2001

Well I have not heard from you on the letter I sent to your fax on March 26, 2001. I am enclosing a copy again. I also have a letter from my Union telling me what happen, but could not do anything about the problem. Boy was I sold a bag goods on this so call merger. I was told that what was in the agreement nothing was to be changed, but what the hell they paid for it they can do what they want. Us little people cannot afford to fight them cause we can't get a lawyer cheap enough to take the case. So I'm looking.

Thank you,



Edward J. Piet
1088 Old Post Road
South Park, Pa. 15129

OFFICE OF
CHAIRMAN MORGAN

2001 MAY -3 A 10:09

RECEIVED
SURFACE TRANSPORTATION
BOARD

Seven pages included

Pg 1 of 7



TRANSPORTATION •
COMMUNICATIONS
 INTERNATIONAL
UNION
 AFL-CIO, CLC

Anthony P. Santoro, Jr.
 General Chairman

Russell C. Oathout
 General Secretary-Treasurer/
 Vice General Chairman

Victor P. Goffredo
Joseph M. Lindsay
 Vice General Chairmen

Lawrence D. Jones
 27 Runningbrook Drive
 Lancaster, NY 14086

James A. Ponigar
 595 West Harvey Street
 Struthers, OH 44471
 Vice General Chairmen

File: 77.0

Subject: Conrail/S.A.A.

April 17, 2001

Mr. Edward J. Piet
 1088 Old Post Road
 Library, PA 15129

Dear Brother Piet:

This is in regard to your April 3, 2001 letter concerning the so-called Supplemental Extra Board Furloughed Unprotected.

You also state that you need a direct answer, you cannot get one from your Local Union Representative, Bill Parr and you have tried several times to talk to Vice General Chairman Joe Lindsay. I have talked to Vice General Chairman Joe Lindsay and he advised me that he has called you a couple of times at your motel residence in New Jersey, Room 214. But you were not available and in fact he left a message for you on March 20, 2001 at 4:30 p.m. and asked you to return his call to him. Furthermore, on April 4, 2001 at 6:15 p.m. Vice General Chairman Joe Lindsay called you at your motel residence and discussed your complaint with you for 30 minutes.

Notwithstanding the above, you were correctly advised at the time of the rundown that any employee failing to secure a regular assigned position could be terminated as provided by the Implementing Agreement. You elected to secure a regularly assigned position rather than voluntarily furloughing yourself.

Subsequently, both of the involved Carriers, CSX Transportation, Inc. (CSXT) and Norfolk Southern Corporation (NS), made business decisions to retain these furloughed employees for several months thereafter due to completion of residual work that would remain in Pittsburgh after the transfers. That actual "split date" was postponed several times and ultimately was June 1, 1999.

Sometime in January 2000, CSXT made a business decision to postpone the transfer of work to Jacksonville indefinitely. TCU objected and insisted a new rundown was required. NS refused to participate in such a proposal.

NS stipulated it had complied with the terms of the Implementing Agreement dated November 2, 1998 and there was no basis to require them to be a party to such a

TCU System Board No. 86, 309 A Street, Wilmington, DE 19801 • (302) 498-0959

Representing members on • Bangor & Aroostook Railroad Company • CSX • Delaware & Hudson Railway Company, Inc. • Guilford Rail Division • Indiana Harbor Belt Railroad • Metro-North Commuter Railroad • National Railroad Passenger Corporation (Amtrak) • New Jersey Transit Rail Operation • Norfolk Southern • Providence and Worcester Railroad Company • Ro-Mat Transportation Systems, Inc. • SAA • Southeastern Pennsylvania Transportation Authority



2 of 7

proposal. Moreover, NS permanently transferred all of its employees from the Pittsburgh facility. The last remaining Supplemental Extra employee utilized by NS was terminated on December 6, 1999.

On February 2, 2000, CSXT and TCU resolved the matter by agreeing that a new Notice provided for under Chapter 2 of the Implementing Agreement would be served should CSXT elect to transfer the work/employees from Pittsburgh to Jacksonville.

Unfortunately, these events were not known to TCU at the time for the original rundown. Once TCU became aware of the delays by both Carriers, we intervened and came to a reasonable resolution, under the circumstances.

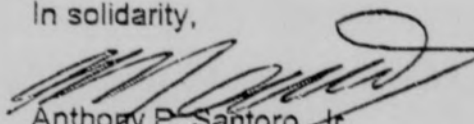
Notwithstanding the above, you chose to secure a position in the original rundown and are not now entitled to reverse that process based on events beyond TCU's control. Also, as noted, NS refused to allow its employees to participate in the February 2, 2000 agreement.

Based on the foregoing, it is my opinion TCU did everything it could to correct the events as they occurred and reached a reasonable resolution of the matter.

I understand this is not the answer you may have wanted to hear but I do not believe you were unjustly treated under the circumstances.

If I can be of any further assistance, please advise.

In solidarity,



Anthony P. Santoro, Jr.
General Chairman

APS/jmd

cc: R. A. Scardelletti, IP (File 279-1009-19)
C. H. Brockett, IVP
J. M. Parker, IVP
D. L. Steele, GC
G. A. Rowe, GC
J. M. Lindsay, VGC

Linda Morgan
~~Chairperson~~
Surface Transportation Board

March 26, 2001

On July 23, 1998 the Surface Transportation Board issued written decision carrying out the Board's vote in granting the Csxt and Ns to acquire Conrail. This was said to be done for the purpose of braking up the monopoly of Conrail. Well I cannot seem to understand this point, before we had three Railroads: Conrail, Csxt and NS. But now we have only two Railroads Csxt and NS. This seems to me you are creating a monopoly. For now I hear the NS is having problems in money matters and wants to merge with the BN. We're running short on Railroads. To me this brake up of Conrail should not have been granted. First it should not have been sold to Csxt and the NS. It should have been just the Csxt or NS to take over the whole thing. If neither one could take the whole thing over, then Conrail should have remained as is, until someone came forward to take it all over. Ever merger I have read or heard of involved one company taking over another. Not two companys taking over one and fighting over who gets which half.

Well here I am part of the clerical positions on Conrail split among CSXT, NS an the Shared Assets area. Lucky me, I got the clerical position on the Shared Assets area. Well it is one year four months here in Shared Assets in Mt. Laurel, New Jersey. The move here was very expensive, not only living here. This was not adjusted in our moving expenses either. That is a problem I am hoping you can help me with. Back in December 6, 1999 after we had to leave Pittsburgh and head for Mt. Laurel it was said the CSXT would leaving later that month and the so call Supplemental Board (furlough) people would be released at the end of December. Not so the CSXT did not

leave Pittsburgh nor did the Supplemental Board be released. The CSXT has been the longest to keep operating in Pittsburgh's NCSC Center. It is said they will be all transfered to Jacksonville by the end of May 2001. In turn the Supplemental Board will be desolved and the people to on it will be furloughed, but this seems not to be so. Some of them are being offered jobs they had covered, moving package and able to keep their Seniority also.

This to me is against everything that was told me on the run down. It was said that if we could not hold a CSXT position on run down date, we had to pick a job on NS, SAA or go furlough (Supplemental Board) not protected. That is Supplemental Board would work till end of Dec.1999, and at that time could not bid or move with jobs they protected. Well so far the Supplemental Board has been well-protected and able to go on working and able to bid for jobs. This also allows them to go to Jacksonville with a moving package and Seniority.

I feel I have been delt an injustice by the CSXT, by having to go to New Jersey on SAA job. The cost and inconvienece of being here has my family and myself at unfair disadvantage. I could still be in Pittsburgh living in my home there and not having to pay coutragous rent here in Mt. Laurel, NJ.

I have presented this to my Local Union Chairman and have not received a reply as yet. I think the people who had to go with SAA to New Jersey and myself are owed more money by CSXT & NS for the living expense we have had to incured here for the time they have keep the Supplemental Board still operating.

There is another problem happening here in SAA, the CSXT & NS are saying it is costing them to much to operate. They do not want to hire any clerks. In turn they want overtime cut, but blanking jobs. This to me I have found that the customers are not getting serviced. Which in turn is costing them money, but who cares about the customer. As

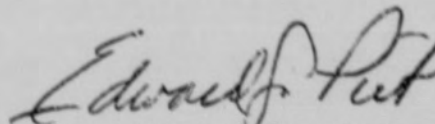
long as the CSXT and NS do not have to pay overtime.

This is not what we were trained to do on Conrail in the 27 Years I have worked for them. In the time I have worked here in SAA the customers know me and the new ones I have brought in. I feel they are being cheated and some of them who suffered thru this merger have lost their business mainly account of how the management the CSXT & NS have delt them.

One more final point the only one who makes out on these mergers are the managers for these companys they seem to give themselves large buy outs, which seems to rob the company. I had stock in Conail before the take over the CSXT and NS wanted me to trade it for theirs. I did not I put it into bonds. In turn I have turned the money over two fold. I knew this would not work for CSXT and NS, but you let happen.

I think the economy will not get better unless these mergers are stopped today. We need competition not mergers.

In closing I thank you for your time for reading my letter, and hope to hear from you.



Edward J. Piet
1088 Old Post Road
South Park, PA. 15129

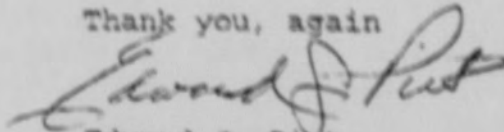
cc: All Pennsylvania Senators
All Pennsylvania Congressmen
Association for Union Democracy

April 3, 2001

Attn: Anthony P. Santoro, Jr.

I am writing once again about the so called Supplemental Extra Board furloughed unprotected. In your letter of March 21, 2001 the answer you gave does not say anything about the Supplemental Extra Board. But it does say in Chapter II Article III that NS and CSXT may effect transfers of positions and or work between CR (INCLUDING SAA), which is what I am a part of. It does not mention one damn thing of Supplemental Extra Board. So could this be something in the wording cause I don't understand. So I was not in Pittsburgh, I should have been permitted to bid on the jobs on November 15, 2000. Also the so called Supplemental Extra board should have been furloughed on December 31, 1999, but Nooooo. They got to stay and work on. The so call SAA was moved out before they were even ready for them in Mt Laurel, so that there was no problems with the deals that were being made for Supplemental Board. Otherwise all the SAA people would have gone furloughed. Well lets put it this way, I think I am owed still a job on the CSXT and the expense the months I have been here in Mt. Laurel. I need a direct answer, I cannot get one from my local Union rep Bill Parr. I have tried several times to talk to Vice General Chairmen Joe Lindsay. Maybe I should take this to the STB, a senator or maybe even the Governor.

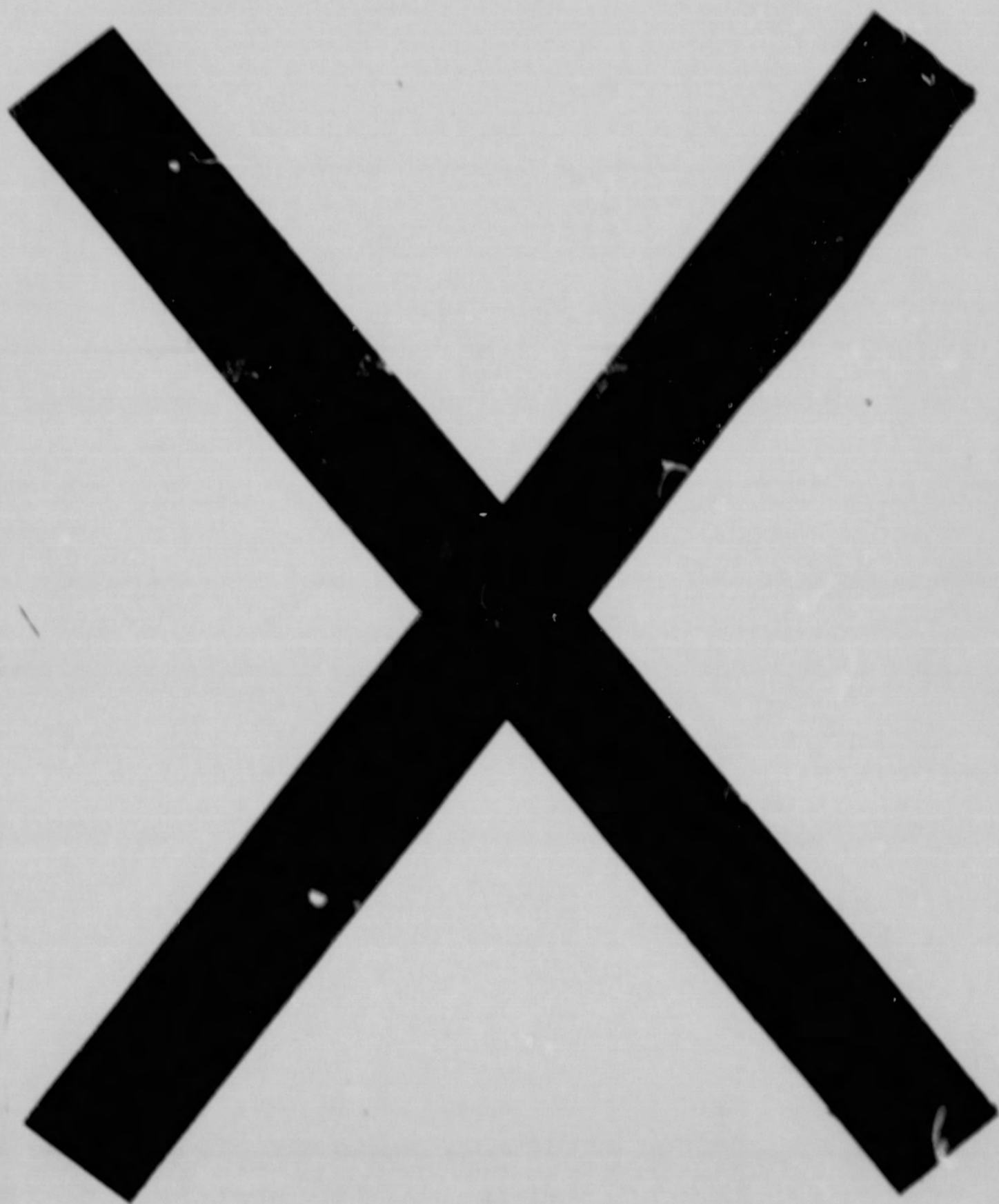
Thank you, again



Edward J. Piet
1088 Old Post Road
South Park, Pa. 15129

cc: R.A. Scardelletti
Joseph M. Lindsay
James A. Ponigar
STB
All Pennsylvania Senators

767



STB

FD

33388

9-12-97

J

CITIES

CITY OF ROCKY RIVER



21012 HILLIARD BLVD.

ROCKY RIVER, OHIO 44116

COUNCIL MEMBERS

ROBERT R. FROST, WARD I
WARREN B. SMITH, WARD II
FRANK B. GOLLINGER, WARD III
THOMAS A. MALLING, WARD IV, PRO-TEM

COUNCIL MEMBERS AT-LARGE

PAMELA E. BOBST
SUE B. BUTLER
WILLIAM F. KNOBLE, PRESIDENT
GRETCHEN BURT, CLERK

September 8, 1997

Secretary
Federal Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423



Dear Secretary:

Enclosed for your consideration is a copy of Resolution No. 137-97 passed by Rocky River City Council on September 2, 1997, which urges the Federal Surface Transportation Board to deny Norfolk Southern and CSX Transportation's proposal for joint acquisition of Conrail, Inc.

Sincerely,

Gretchen Burt
Clerk of Council

Enclosure

RESOLUTION No. 137-97

By: MAYOR DON UMERLEY

A RESOLUTION URGING THE FEDERAL SURFACE TRANSPORTATION BOARD TO DENY NORFOLK SOUTHERN (NS) AND CSX TRANSPORTATION'S PROPOSAL FOR JOINT ACQUISITION OF CONRAIL INC., AND DECLARING AN EMERGENCY.

WHEREAS, Norfolk Southern (NS), and CSX Transportation are proposing joint acquisition of Conrail Inc., and plan to increase the number of freight trains through the northwestern suburbs from 14 per day to 38 per day; and

WHEREAS, the proposal will be brought before the Federal Surface Transportation Board before June 1998 for approval; and

WHEREAS, An increase in daily freight train use will create an intolerable situation for emergency paramedic runs, fire runs, and police runs to those areas of the city north of the railroad tracks; and

WHEREAS, there are numerous safety concerns at rail crossings due to increased rail traffic which would increase the risk of collisions between trains and cars, trucks and pedestrians; and

WHEREAS, concerns over health and safety due to potential increase in the transporting of hazardous materials which in case of derailment would necessitate the evacuation of residents of Rocky River within two to four miles of the tracks, which encompasses the entire city of Rocky River; and

WHEREAS, an increase in daily freight train use would create environmental concerns with regard to noise and air pollution; and

WHEREAS, an increase in rail traffic would have a negative impact on property values which directly impacts both the City and School budgets; and

WHEREAS, the city of Rocky River has filed a Notice of Intent to Participate with the Federal Surface Transportation Board so that they may become "Parties of Record";

NOW THEREFORE, be it resolved by the Council of the city of Rocky River, Ohio:

SECTION 1. That the Council of the city of Rocky River Ohio opposes the acquisition of Conrail, Inc. by Norfolk Southern and CSX Transportation, which as a result of this acquisition would increase rail traffic on the route connecting Vermilion, Ohio to Cleveland, Ohio, thereby creating health and safety concerns for the residents of the city of Rocky River and other westshore communities.

SECTION 2. That the Clerk of Council is hereby directed to submit a copy of this resolution to the Federal Surface Transportation Board, Senator Michael DeWine, Senator John Glenn, Congressman Dennis J. Kucinich, Governor George V. Voinovich, State Senator Gary C. Subadolnik, State Representative Edward F. Kasputis, Cuyahoga County Commissioners, NOACA, RTA, the Regional Planning Commission, the city of Bay Village, the city of Lakewood, and the city of Westlake.

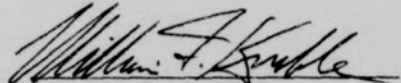
I, the undersigned, clerk of council of the city of Rocky River, Ohio, do hereby certify that publication of this resolution was duly made by posting a true copy in the City Hall of the Rocky River City Hall, in accordance with the provisions of the City Charter, on the day of September 1997.

Don Umerley
Mayor of Council of the City of Rocky River, Ohio

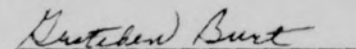
RESOLUTION No. 137-97

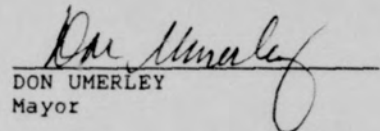
SECTION 3. That this resolution is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, safety and welfare, and for the further reason that it is necessary to proceed with this resolution in a timely manner, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: September 2, 1997


WILLIAM F. KNOBBE
President of Council

PRESENTED
TO MAYOR: September 2, 1997APPROVED: September 2, 1997


GRETCHEN BURT
Clerk of Council


DON UMERLEY
Mayor

STB

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33388

9-12-97

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PUBLIC

Gentlemen or Mesdames:

9-8-97

Please consider not improving
the additional rail traffic at
the southern end of Bay Village.
Two major roads south are crossing
the tracks which means many minutes
of stalled traffic.

Very truly yours
Dick Stief

440-899-7462

phone

H.J. "DUB" & LIA STAAF
282 BRUNZEWOOD DRIVE
BAY VILLAGE, OH
44110-1279

#

FD 33388

I strongly oppose the
increase of Rail traffic
as proposed for the
West suburbs. We have
enough Train now - would
be unsafe unless many
Overpasses were erected.

Mary Skeed

24000 Lake Rd

Bay Village OH 44140



9-8-97

RE: FD 33388

To Whom It May Concern:

This is to notify you that we are opposed to the Norfolk & Southern Railroad proposed increase in rail traffic through the Cleveland, Ohio area westshore communities. The magnitude of this proposed increase from 13 to approximately 38 trains daily could only have a negative impact on our communities.

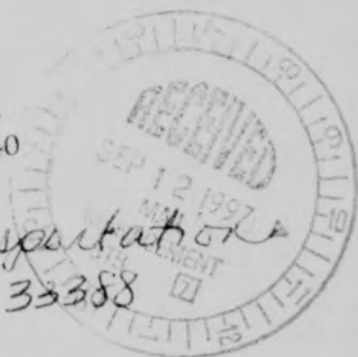
Please consider rejecting this proposal.

Sincerely yours,
Gordon A. Hess Jr.
Marie B. Hess



Gordon A. Hess, Jr.
Marie B. Hess
520 Humiston Drive
Bay Village, Ohio 44140

Mary Kay Wilson
26532 Normandy Rd.
Bay Village, Ohio 44140



Federal Surface Transportation
Board NoFD 33388

Dear Board members,

As a citizen of Northeast Ohio I ask you to oppose the acquisition of certain Conrail assets by Norfolk & Southern (N&S) Railroad.

Their proposal to take daily train traffic from 13 to 38 trains is unacceptable! The noise pollution in my community is already terrible because of the 13 daily trains. Please deny N&S's

proposal.

Sincerely,
Mary Kay Wilson
9/8/97

28526 Osborn Rd.
Bay Village Ohio #4140
Sept. 8, 1997

FD 33388

I am opposed to this proposal.

Mrs. H. E. Hard.



September 7, 1997



Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW
Washington DC 20423

In re: No. FD 33388

Dear Sir:

As a resident of Bay Village for More than 40 years, I am extremely opposed to the proposal by Norfolk & Southern RR to triple rail traffic through our beautiful quiet community.

Safety, health and economic impact could be devastating. The added noise would be horrendous.

I raise my hand in opposition to this proposal.

Most Sincerely,

A handwritten signature in cursive script that reads "Barbara L. Markovich".

Barbara L. Markovich

467 Lake Forest Drive

Bay Village, Ohio 44140

440-835-3411

CC/ Congressman Dennis Kucinich

BIM/b

September 8, 1997



Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW
Washington, DC 20423

Re: FD33388

Dear Sir/Madam:

This is to express our deep concern for the Norfolk and Southern Railroad proposal to increase rail traffic through the west shore. We feel that the safety, health and economic impact on our community would be devastating.

We recognize the vital role railroads play in our country, however we strongly urge you to use common sense and oppose this proposal which would adversely affect the safety and welfare of literally thousand of individuals.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laurie Schuler".

Michael and Laurie Schuler
23521 Lake Road
Bay Village, OH 44140

cc: Congressman Dennis Kucinich

553 Columbia Rd.
Bay Village, OH 44140
September 7, 1997

SEP 12 12 07 PM '97
OFFICE OF COMPLIANCE
AND
CONSUMER ASSISTANCE
DIRECTOR'S OFFICE

RECEIVED
SURFACE TRANSPORTATION
BOARD

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W.
Washington, DC 20423

Subject: FD33388
Acquisition of Conrail by Norfolk Southern Corp. and CSX Corp.

Gentlemen:

I am writing in support of the acquisition of Conrail by Norfolk Southern Corp. and CSX Corp. Recently the local communities of Bay Village, Rocky River and Lakewood have generated considerable political opposition to the acquisition because of NS's proposed increase in train frequency over the section of the old Nickel Plate which passes through these communities. I do not agree with this opposition.

The predecessor to the NS contributed significantly to the development of these communities. Further the communities largely developed after the railroad was in place and operating trains at a frequency considerably higher than at present. This did not seem to inhibit or stifle the growth of the area. The Railroad pays taxes to the cities involved and should be allowed to pursue its interests as long as it does so in a responsible manner.

Reasonable efforts need to be made to cater for the health and safety of the nearby residents and other affected citizens. Assuming such efforts are anticipated in their application I hope you will look favorably upon it.

I am not an employee or stockholder of any of the entities involved although I am a resident of Bay village.

Thank you.

Very truly yours,

Edward T. Manning Jr.

Edward T. Manning Jr. P.E.

September 4, 1997

RE:FC 33388

Federal Surface Transportation S
Section of Environmental Analysis
1925 K St NW
Washington DC 20423



To Whom It May Concern:

I urge you to **reject** Norfolk and Southern's proposals for track usage.

N & S recently announced plans to triple the number of freight trains traveling through our community. I am extremely concerned with the safety of my family and my community. The local hospital is only two miles away, however with the increased traffic, I would have to detour approx 15 minutes to the only overpass and then track backward to get to the hospital.

Most of the residences along these tracks are families with young children. Clearly, there must be another route more appropriate if consideration is given to health and safety and environment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael P. McCuen'.

Michael P. McCuen

cc: Hon Dennis Kucinich

29916 Wolf Road
Bay Village OHio 44140-1611
September 8, 1997

Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW
Washington, D.C. 20423

Re: FD 33388

Gentlemen:

This letter is to bring to your attention the personal problems and the extensive difficulties that will be caused for the people in the Western Suburbs of the Cleveland Area, particular Lakewood, Rocky River, Bay Village, and Avon Lake, Ohio, if the Norfolk & Southern Railroad is allowed to increase their Train traffic from 13 to 38 through these suburbs.

As it is now, we in this area allow a minimum of ten minutes for a train passing, by the time the traffic starts and is flowing well again. For 38 trains, that would be 380 minutes a day. Dividing by 60 minutes a day it does not take a genius to understand that the hundreds of thousands of us on the North side of the tracks are denied access to the three hospitals on the southside of the tracks for 6.33 Hours a day, or about 1/4th the entire day.

My age is 74 years old. I have a heart problem. I am not alone. There are many people with many medical problems of all types around, without even considering the numerous emergency runs for trauma victims

We cross the tracks many times a day, because our shopping center is 'over there'! Everything is 'over there', because we are a residential community. There is a hazard for our loved ones every time we 'cross the tracks'!

Are we to be denied access to emergency medical needs etc for over six hours a day, when the train traffic could continue its present route six miles south of here, and end up in the same destination West???

Please think long and hard about the effect your decision will have on well over two hundred thousand people!

The railroads will continue to make money, either way you decide.

The peoples lives will be dramatically influenced unless your decision is NO!

Sincerely yours,

Helen Roberta Schmid
Helen Roberta Schmid



FD 33388

September 8, 1997

Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW
Washington, DC 20423



Dear Sirs:

Please note my firm opposition to the Norfolk & Southern proposal. It is terribly unsafe and would represent a significant DANGER to my community.

Thank you in advance for fighting this proposal in every possible manner.

Sincerely,

Josephine M. Beckwith
29501 Osborn Road
Bay Village, Ohio 44140

jmb

Sandra L. Tirey
25301 Bayfair Court
Bay Village, Ohio 44140

Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW
Washington, D.C. 20423

September 8, 1997



RE: FD 33388 - Expansion of Norfolk and Southern Rail Traffic

To Whom It May Concern:

I feel it imperative to voice my opinion over the recent news of the possible expansion of the railroad lines running through the communities of Lakewood, Rocky River, and Bay Village, Ohio. I cannot imagine the impact this change would have upon the safety, welfare, and overall economy of those communities if this expansion were indeed to take place.

As a 7-year resident of Bay Village, and a property owner whose property is adjacent to the railroad tracks, I can only say that I have already seen an increase in the number of trains passing through our area in the short time I have been here. Although sometimes a nuisance, they are not a perpetual annoyance and safety hazard, as I fear the projected increase would most definitely be.

There is only one overpass leading from Bay Village, and it is not near any of the local hospitals or out-patient care clinics! I cannot imagine what a risk to life and limb this inaccessibility to emergent care would cause as that overpass would be clogged with more traffic attempting to avoid the increased rail traffic. Many of the residents of Bay Village are elderly, as this is a great community not only for the young, but also the young at heart, for we all enjoy the beauty of land, woods, and lake our small community offers.

This proposal would also put our young in greater peril, as children's natural curiosity would draw them to the trains and the dangerous tracks. I have personally taken children off, or away from, the tracks myself in fear they would be harmed. . . placing pennies on the track to be flattened by an oncoming train is indeed still a popular past-time. Imagine if there were more than 3 times the amount of passing trains as there are now!

Railroads understandably play a vital role in the economy of our country, but I feel the state and federal government have the moral responsibility to protect the safety and welfare of the thousands of residents this proposal would effect.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. L. Tirey".

Sandra L. Tirey

cc: Congressman Dennis Kucinich



Federal Surface Transportation Board
Section of Environment Analysis
1925 K Street, NW
Washington, DC 20433

ATTENTION: Document Number FD33388

Gentlemen:

This letter is a plea to you to prevent the addition of any rail freight traffic on the Cleveland-Vermilion line of Norfolk and Southern Railroad.

This plan would disrupt so many lives, disturb the peace of beautiful neighborhoods, endanger the health of thousands of people from coal dust exposure, noise pollution, the potential danger of toxic chemicals, and the economic consequences of decreased property values and tax revenues would be devastating.

Our home is in Lakewood, Ohio where we have 27 streets that are bisected by NS tracks. Additional trains and longer, faster trains are a danger to our citizens and children. Lakewood does not have school busing and students attending 8 schools cross the tracks at least twice each day. Our police, fire and emergency vehicles would be seriously impacted by any increase in freight rail traffic through our city. More overpasses and underpasses would not remove all of the rail threats to our neighborhoods. On interstates through populated areas, signs bear the letters "HC" - hazardous cargo - with a slash through it, meaning certain trucks should take routes through industrialized areas, rather than through residential zones. Why shouldn't the same apply to freight trains?

Again, please consider the health and safety of thousands of residents in Northern Ohio and prevent the escalation of unsafe and unhealthy freight movement through our cities along Lake Erie.

Sincerely,

Gray Broschuk
1538 Mars Ave
Lakewood OH

44107

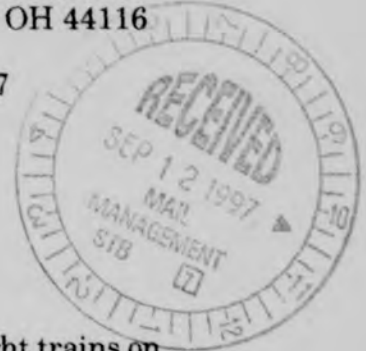
(216) 274-8123

Thomas A. Hughes
Margaret A. Hughes
21220 Maplewood Ave.
Rocky River OH 44116

Sept. 7, 1997

Federal Surface Transportation Board,
Section of Environmental Analysis
1925 K St. NW
Washington DC 20423

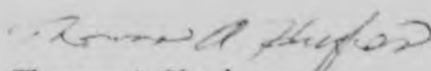
RE: Doc. FD33388

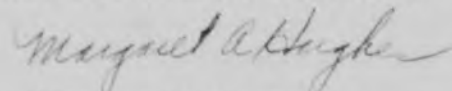


The referenced document proposes increasing the amount of freight trains on the West Shore line of Norfolk Southern Corp., roughly tripling the present traffic. As residents of a community near the line and thus affected by such an increase, we oppose the change. Our main reasons include:

- We live north of the line while our police and fire departments are south of it. More rail traffic increases safety risk to person and property considerably.
- Many elementary and high school children live north of the line and attend schools south of it. Their safety is already compromised by having to cross tracks at least twice daily, and tripling of traffic increases their risk severely.
- The number of grade crossings is high due to the closeness of north-south streets in many suburban communities such as ours. Besides the safety risk, the noise pollution is already severe: Locomotive engineers must blow warnings for each crossing. The volume required for a warning is such that it is heard clearly for several blocks in all directions. Though necessary for safety, the warning noise is already an irritant for nearby residents. Tripling traffic would more than triple the environmental harm due to noise of warning horns. Simple rumble from rolling cars, of course, is also a noise pollutant in residential neighborhoods. Besides the irritant to residents, all such noise potentially harms property values -- no one considers railroad noise desirable.
- The potential for derailments, spills, and other accidents of course increases with the number of trains. Motor truck traffic in our communities is restricted in part because of such possibilities. Hazardous cargoes are similarly restrained. For those of us living near rail lines, the risks of accident are already clear and present. Increased rail traffic sends the risks unacceptably high. Attempts to increase traffic while revising crossing structures (such as adding under- and overpasses) do not reduce such risks.

Please prevent more traffic on Norfolk Southern's Cleveland-Vermilion line.


Thomas A. Hughes


Margaret A. Hughes

STB

FD

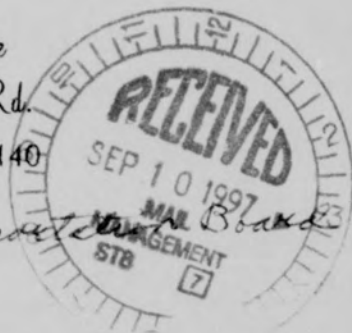
33388

9-10-97

J

PUBLIC

Pauline C. Blakeslee
28011 W. Oakland Rd.
Bay Village, OH 44140



Federal Surface Transportation Board
FD 33388

Dear Sir,

Please do not allow the
Norfolk and Southern Railroad
to increase the rail traffic
through Bay Village and other
westshore communities.

The safety and Health of
all these communities would
be devastating.

Thank you.

Pauline C. Blakeslee
and

Robert C. Blakeslee

Sept 4, 1997

Edna F. Allen
596 Cahoon Rd.
Bay Village, Ohio
44140-2139

To Concerns -

I am very opposed the increased in rail traffic through the Westshore Communities 38 trains per day.

Many people must go over the railroad crossings to go to work - Nurses who work at Haborside Nursing Home on Cahoon Rd. in Westlake, Ohio - includes Doctors, Hospitals, School Buses must go over the railroad crossing. People who work who must not be late. Many times are stopped - wait for the trains to pass.

Sincerely,
(Mrs) E. F. Allen

P.S. Here is the no.

FD 33388



September 5, 1997

No. FD 33388



Dear Sirs:

I am writing in response to the proposed increase in rail traffic through the westshore communities in Ohio. As a resident of Bay Village, I am very concerned with several aspects of the increased traffic, and the impact it will have on our community.

Safety is a primary concern with the citizens. The ability to reach hospitals and other health care facilities is in question. Because Bay Village lies north of the railroad tracks, and all hospitals are on the south side, lives could be endangered by a delay in reaching help. Also, with only one overpass in Bay Village, traffic patterns will be dramatically altered. Once quiet streets will be busy with traffic cutting through to reach destinations.

Bay Village is a family community that prides itself on providing an environment that promotes safety and welfare for our children. Increased traffic will compromise that safety. Affordable "starter" homes that are adjacent to the tracks, will become undesirable. And unfortunately, children's fascination with trains could bring dangerous consequences.

The cargo of these trains is another aspect of concern to our community. Trains transporting chemicals or other toxic materials could pose a major threat to the health and well being of residents living close to the tracks. An accident would be devastating. And, although accidents are rare, increased traffic will also increase the risk. Especially now since there is only one set of tracks that runs through Bay Village.

Other problems associated with trains, such as noise, is an irritation. Our once quiet and serene backyards, will be interrupted 38 times a day as trains rumble and rock, spewing oil and dust as they pass through. Money invested in maintaining our homes will be wasted, as resale value will inevitably plummet.

We worked hard to own a home where we can feel safe and can relax. The proposed increase will indeed make more money for the CSX and Norfolk & Southern corporation, but how many people's lives must be disrupted, or even put in peril, for the almighty dollar? I would appreciate any help you, in your position, can give us in this matter.

As a Bay Village resident who has the railroad tracks right at the end of her backyard I strongly oppose more railroad traffic.

Sincerely,

Gayle A. Fisher

*24429 East Oakland Rd
Bay Village, Ohio*

44140

No. FD33388



Sept. 8, 1997

Patrick & Susan Hughes
616 Canterbury Road
Bay Village, OH 44140

To Whom it may concern:

I am a citizen and homeowner on Canterbury Rd. in Bay Village, Ohio. I have three small children and will be having our fourth child at Christmas time.

I am writing to express my extreme opposition to the proposed increase in rail traffic by N+S Railroad. I am concerned by the already noticed increase in the number of trains. I worry for the safety and health of my family. I will do all in my power to end this traffic increase.

Sincerely,
Susan Hughes

, STB FD 33388 9-9-97 J PUBLIC



Madelyn O. Chavayda

FD.33388

9-4-97

Dear Congressman Kucinich.

I live in Bay Village, a fine place to live. I hope to spend the rest of my days here. I've lived here for 28 years and have enjoyed all of them. With your help I hope we can keep our town secure. We would have problems if we have all those trains coming thru. It would delay traffic to stores, schools, hospitals, jobs and friends. We know that you will do your best to help us. Thank you for all you can do.

Sincerely,

Madelyn Chavayda

319 Parkside Drive
Bay Village, OH 44140

9/3/97

To Whom This May Concern;

The proposal of Norfolk and Southern Railroad to increase trains from 13 to approximately 38 ^(for Western Communities) have greatly concerned nearby residents at the Knickerbocker apartments, located directly across from the R. R. crossing.

I don't care to think of any more train whistles "blasting away". Yes, I mean "blasting away" as it seems that some engineers ^{enjoy} "tooting" their own horn.

Please, Please, there must be other alternate routes to consider. Some of us may have a little hearing loss, but believe me, when those engineers play their tunes, we sometimes must cover our ears. Of course we also have Columbia Rd. and Cahoon crossings nearby.)

We will do all we can to hope you will listen to us and be humane enough to accept our side of this.

Also, with the addition of that many more trains there will be many disgruntled drivers anxious to move but with no where to go.

Respectfully,

Velma R. Ruddy #2/2
27100 Kneckerbocker Rd
Bay Village, Oh 44140

27410. Donald Drive
Bay Village Ohio 44140

August 28, 1997

Federal Docket # F.W. 33-388



To Whom it may concern:

As a resident of Bay Village
Ohio I am asking that you
do not increase the number
of trains thru this Westside
Community from 13 to 38
trains each day

Thank you for your cooperation

Mrs Maue L. Clark
and Mr Richard C. Clark

No. FD 33388



9-3-97

Dear Sir:

This is to notify you that we are against the Norfolk & Southern Railroad's proposed increase in rail traffic through our communities.

Mr & Mrs William Nuss
and 20-yr. old daughter, Christy

Mr. & Mrs. William Nuss
28031 Sites Road
Bay Village, OH 44140



SEP 4, 1997

Dear Federal Surface Transportation Board,

I am writing to you concerning the possible increase in the N&S Railroad traffic. I strongly oppose the possible increase!

I am effected by this in many ways. I am a Bay Village resident who unless I have business directly east or west I must cross the tracks. An increase in train traffic will not only cause many street traffic delays but also traffic cannot help property values in any city. Then there is a personal concern for my child. Her grandparents live on Cannon Ave. in Lakewood. This street borders the tracks. She often visits there and enjoys going to Webb Park. The park is right on the tracks. Many children like to play there. Not only am I concerned about their safety but their delicate ears with the frequent horn blowing of the trains. Please think of the children who will come in contact with the tracks, for them and for our cities please do not let this merger happen.

Thank you
Sandra Goren

FD 33388

September 5, 1997



No. FD 33388

Dear Sirs:

I am writing in response to the proposed increase in rail traffic through the westshore communities in Ohio. As a resident of Bay Village, I am very concerned with several aspects of the increased traffic, and the impact it will have on our community.

Safety is a primary concern with the citizens. The ability to reach hospitals and other health care facilities is in question. Because Bay Village lies north of the railroad tracks, and all hospitals are on the south side, lives could be endangered by a delay in reaching help. Also, with only one overpass in Bay Village, traffic patterns will be dramatically altered. Once quiet streets will be busy with traffic cutting through to reach destinations.

Bay Village is a family community that prides itself on providing an environment that promotes safety and welfare for our children. Increased traffic will compromise that safety. Affordable "starter" homes that are adjacent to the tracks, will become undesirable. And unfortunately, children's fascination with trains could bring dangerous consequences.

The cargo of these trains is another aspect of concern to our community. Trains transporting chemicals or other toxic materials could pose a major threat to the health and well being of residents living close to the tracks. An accident would be devastating. And, although accidents are rare, increased traffic will also increase the risk. Especially now since there is only one set of tracks that runs through Bay Village.

Other problems associated with trains, such as noise, is an irritation. Our once quiet and serene backyards, will be interrupted 38 times a day as trains rumble and rock, spewing oil and dust as they pass through. Money invested in maintaining our homes will be wasted, as resale value will inevitably plummet.

We worked hard to own a home where we can feel safe and can relax. The proposed increase will indeed make more money for the CSX and Norfolk & Southern corporation, but how many people's lives must be disrupted, or even put in peril, for the almighty dollar? I would appreciate any help you, in your position, can give us in this matter.

Sincerely,

Matthew E. Majher
1315 West 108th Street
Cleveland, OH 44102-1515



September 4, 1997

Federal Surface Transportation Board
Section of Environmental Analysis
1925 K St. NW
Washington, DC 20423

Re: **Document FD33388**

Dear Board Members:

I am writing this letter to express my anger and dissatisfaction regarding the proposed break-up of Conrail Corp. by Norfolk Southern Corp. (NS) and CSX Transportation Inc. I am upset because a few months ago NS promised that if they acquired Conrail's tracks in Northern Ohio, they would sell their existing NS tracks to the Greater Cleveland Regional Transit Authority (RTA). This promise was well received by the community for it would greatly expand public transportation in Cuyahoga County which has obvious benefits. However, I have recently learned that NS's promise was indeed a lie. Instead, they are now proposing to keep their existing lines and dramatically increase rail traffic. They have proposed increasing the frequency of trains on the lines, as well as increasing the number of cars per train, as well as decreasing the speed of each train. This is a terrible proposal considering the safety and environmental factors involved. Their current proposal has virtually no benefit for the Greater Cleveland area. From an economic viewpoint, their proposal will decrease the value of the homes along this corridor. You should be aware that there has been a renaissance in these neighborhoods. New families have moved into this previously depressed, drug ridden area and have made this an attractive place to live. To allow NS to run rampant in this area with long, slow, coal-carrying trains, would be a devastating step backwards. From a public safety perspective, NS's proposal will cut-off the northern portion of the county resulting in serious delays in responses by police, fire departments, and paramedics. These are problems that cannot be simply resolved by building under/overpasses because there are too many railroad crossings in this area. Not all of the crossings can be accommodated. In fact, presently not all of the crossings have safety gates. These intersections are already dangerous, it is wrong to make them worse.

I am a pragmatic person and I believe that problems can be worked out among parties as long as both parties want the problems resolved. However, NS originally promised to sell these lines to RTA, and recently they did a complete "about-face." This makes me question the sincerity of NS. I do not believe they want to work with the community on this matter, instead it appears they will do what they please. Therefore, for the reasons stated above I request that you deny the proposed break-up of Conrail by CSX and NS on the grounds of public safety and the adverse effects to the community.

Sincerely,

Matthew E. Majher

THOMAS S. GULOTTA
COUNTY EXECUTIVE



OFFICE OF THE EXECUTIVE
NASSAU COUNTY EXECUTIVE BUILDING
ONE WEST STREET
MINEOLA, N.Y. 11501-4895

August 28, 1997



Honorable Vernon A. Williams
Surface Transportation Board
12th Street and Constitution Avenue, N.W.
Washington, D.C. 20423

Dear Secretary Williams:

As you know, the New York & Atlantic Railway Company (NYAR), the Long Island Rail Road (LIRR) and the Village of Garden City (Village) entered into an agreement in February of this year which will result in local review and input into the Environmental Assessment (EA) of freight privatization on the Hempstead Branch and Central Branch Extension of the LIRR. Area residents have written to the Board questioning the adequacy of the EA that was originally filed for this project. Residents that live on the Main Line of the LIRR have expressed to me their view that a new review should include the entire LIRR freight network.

As you are well aware, the County of Nassau does not have any jurisdiction or control over the LIRR. Therefore, I respectfully request that the Board review this matter and afford residents affected by this proposal an opportunity to express their views and concerns.

Thank you for your anticipated courtesy and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Thomas S. Gulotta".

THOMAS S. GULOTTA
County Executive

TSG:exm

cc: Hon. E. Virgil Conway, Chairman, MTA
Hon. Norman J. Levy, Chairman, NYS Senate Transportation Committee
Hon. Kemp Hannon
Hon. Michael A.L. Balboni
Hon. Frank Tauches
Hon. Carolyn McCarthy
Hon. Alfonse M. D'Amato
Mr. Thomas F. Prendergast
Mr. Lawrence McCaffrey

29805 Electric Drive
Bay Village, Oh. 44140
September 3, 1997

Surface Transportation Board
Section of Environmental Analysis
1925 K. Street N.W.
Washington, D.C. 20423
Case FD33388



Dear Board:

You have no doubt been made aware of the objections that West Shore residents have to the proposed increase in rail traffic on the Norfolk Southern Railroad's track that runs west of Cleveland, Ohio. You needn't hear more from me about those objections.

Integrity, honesty, keeping one's word all enter into the discussion of the rail officials' decisions on track usage the past few years.

One set of tracks was removed not long ago. Rail company officials said it was because of a decreased need for two sets of tracks due to a reduction in the number of daily train trips on the tracks. Those who knew better said it was a direct effort by the railroad to reduce its taxes.

Company officials, at the time, said that eventually they would probably abandon the route completely, which would open up the possibility of its use by the West Shore community as a commuter line.

Now the railroad is saying it wants to run as many or more trains on a single set of tracks as it did in the past on two sets.

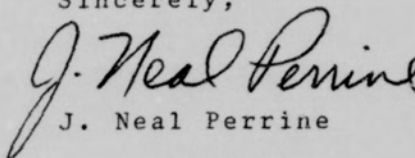
Knowing the glitches that can happen, even with the most advanced electronics and technology, and the very real threat of human error, how long will it be before a disastrous head-on collision occurs between an east and westbound train?

My son and his fiancée plan to live in a house in Bay Village after they are married next June that is less than 200 feet from the rail line. I don't want to get a call in the middle of the night that tells me a derailed locomotive has run over their home.

In my view, if the rail officials have not been up front about their plans to this point, what is to keep them from piling on even more daily trips than they now propose with their "new" plan?

The decision you make one way or the other will affect tens of thousands of West Shore residents. It will also affect a handful of railroad officials and employees. I hope the majority rules in this case. Thank you for your thoughtful consideration of this matter.

Sincerely,


J. Neal Perrine

Case FD33388

Head-on aftermath



ASSOCIATED PRESS

Workers begin cleanup yesterday after a runaway Union Pacific train with no one aboard collided head-on with another train, killing two crew members and setting off a spectacular fire. It was the railroad's second fatal collision in two months. The crash in Fort Worth, Texas, shortly before midnight Wednesday also injured another crew member, while another escaped unharmed.

NINE WALLACE FARMS LANE
FREDERICKSBURG, VIRGINIA 22406-5137
5 SEPTEMBER 1997

OFFICE OF THE SECRETARY
Case Control Unit
Attention: DOCKET STB FINANCE 33388
SURFACE TRANSPORTATION BOARD
1925 K Street, NW
Washington, D.C. 20423-0001



Dear Mr. Secretary:

The proposed consolidation of the CONRAIL system with the CSX and Norfolk Southern systems is a very major activity with many potential effects throughout the entire US infra-structure with resulting economic impacts. Because of the immensity of this pending proposal, I would like to respectfully request that the Surface Transportation Board give strong consideration to these impacts and place the appropriate constraints and/or requirements on the proposed consolidation, such that the best interests of the national security and the economy of the United States are strong factors. These factors have the possibility of having sufficient conflict with the currently perceived best interests of the CSX and Norfolk Southern corporations.

I would like to see the Surface Surface Transportation give consideration to the following issues:

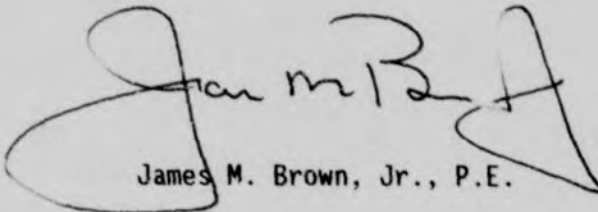
1. The public safety records of both the CSX and Norfolk Southern corporations are, in my judgment, less than satisfactory. Not only have employee lives been lost and employees maimed, the public has been exposed to extensive quantities of hazardous materials and the resulting inconvenience of home evacuations, etc. In the Washington area, the MARC train accident (CSX staff operate these trains), the train collision just south of Alexandria, the recent derailment near the Potomac River crossing in Arlington, Va., and the accident in Huntington, West Virginia are ones that come to mind. It appears to me that both CSX and Norfolk Southern are failing to maintain its facilities in a manner and to the level needed to prevent such occurrences. Both are very guilty of failing to employ current technology such satellite position indicators, radar detection devices and modern communications systems. In addition there is an apparent failure to provide back-up electric power for rail signals such efficient operation as well as timely operation can occur during and following storms. Also, the failure to provide visible side-of-car markings such that these vehicles can be seen by the public and from other vehicles at crossings is almost, criminal with the new technology that would create a visible signal with very minimal or no electric power requirements. These actions are in my judgment reflective of a "public-be-damned" attitude that ignores the eminent domain authorities used to obtain their rights-of-way and special tax status. I urge the Surface Transportation Board to establish some constraints, with the appropriate regular monitoring, in these areas, should the proposed consolidation be approved.

2. Currently the Federal Energy Regulatory Commission and the US Congress are taking many actions via statutes and federal regulations to cause the restructuring of the nation's electric power supply system. I would suggest that many of the high-level policy concerns that are driving these efforts, are similar to problems in the nation's transportation infrastructure and are relevant to the consolidation action pending before the Surface Transportation Board. I strongly suggest that the Board review the proceedings of the Federal Energy Regulatory Commission and give consideration to requiring the un-bundling of the certain aspects of the CSX and Norfolk Southern corporations should the proposed consolidation be approved. Specifically, consideration should be given to requiring the separation of the rail system operation from the actual train operation and requiring that economic competition for the use of the tracks occur with the high bidder or payer getting the highest priority for use. To meet critical needs of the nation, there must be provisions for appropriate regulatory body action, preferably by the states, to waive the economic operations in favor of certain limited non-economic movements. I suggest this action, because it is apparent to me that the CSX and Norfolk Southern systems are giving consideration to only increased use of existing facilities with little or no public safety consideration, yet in many cases, they own sufficient right-of-way to add an additional track line or installed overpasses and underpasses to make the rail movement more efficient. Of specific concern in this area is the continuation of the current commuter railroad systems across this nation and their possible expansion for the sake of energy efficiency.
3. Current Federal law requires that any major decision by a Federal agency give full consideration to the environmental consequences of their action (s). I am sure that the Surface Transportation Board will comply with this requirement, however, I would like to recommend that consideration be given to requiring the financial compensation by any operator of railroad equipment in their environs. For year there has been railroad debris, air pollution, and yet hazardous waste leaks and/or spills that degrade the quality of life in the neighborhoods near a rail track. These communities have no means to require the train operator to expeditiously notify the local authorities and promptly respond to assist in the cleanups. Right-of-way maintenance by track owners completely ignores local governments with such maintenance occurring when and where the track owners decide. The Surface Transportation Board has a unique opportunity to require that these past practices be changed and that government by the people and for the people (not the large corporations) is implemented.

4. Finally, the most effective utilization of the energy resources of the United States is in the best national security and economic interests of the nation. Some will say that current Federal statutes already mandate this consideration. No matter, the basis, the continued use of the rail systems for passenger transportation, especially commuter railroads in large metropolitan areas is probably the best means to accomplish this goal. However, freight railroads such as the CSX and Norfolk Southern should be given Federal mandates to support and facilitate current operating commuter railroads and even more in the future. This Federal mandate should require passenger(commuter) movement have priority over freight movement during certain commuter movement periods. If more tracks are needed, than the CSX and Norfolk Southern systems and their kin should construct them with no hesitation. If the electric utilities in the United States operated with the same policies as do CSX and Norfolk Southern, there would be major outages on a routine basis. The income by CSX and Norfolk Southern from the use of their rights-of-way by others, especially telecommunications companies fails to reflect the rights-of-way that were obtained, in many cases, by the eminent domain process, wherein people and freight transportation were the justifying factors. Again, I strongly recommend that any approval of the proposed consolidation of the CONRAIL system with the CSX and Norfolk Southern systems contain very specific provisions recognizing the need for the continued and expanded operation of commuter railroads throughout the nation.

Thank you for the opportunity to provide these comments on this major case pending before the Surface Transportation Board and I further request that they be considered as an intervention in this proceeding and I be provided with any response papers, etc. and the Board decision. Thank you again.

Sincerely,



James M. Brown, Jr., P.E.

CC: Mr. Dennis G. Lyons, ESQ
Arnold and Porter
555 12th Street NW
Washington, DC 20004-1202

Mr. Richard A. Allen, ESQ.
Zuckert, Scott, Rasenberger, LLP
888 17th Street NW
Washington, DC

Mr. Paul A. Cunningham, ESQ.
Hakins-Cunningham
1300 19th Street NW
Washington, D.C. 20036

STB

FD

33388

9-9-97

J

CITIES

CARROLL COUNTY MARYLAND

225 N. Center Street
Westminster, Maryland 21157-5194
Westminster 410-857-2044
Baltimore 410-876-2085
FAX 410-848-0003
TT 410-848-3017



Board of Commissioners

Richard T. Yates, President
W. Benjamin Brown, Vice President
Donald I. Dell, Secretary

September 5, 1997



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
12th and Constitution Avenue, NW
Washington, DC 20423

RE: STB - Finance Docket No. 33388
CSX/NSC Control and Operation of Conrail

Dear Secretary Williams,

We are writing to express our interest, concerns and support for CSX and Norfolk Southern's application to acquire, control and operate Conrail.

While CSX only has a few miles of track in Carroll County, with Conrail and Norfolk Southern having none, our interest in this matter is strong because Maryland Midland Railway, Inc. serves most industry in Carroll County, annually generating thousands of carloads of freight and millions of dollars of revenues for CSX. Those industries in our county served by Maryland Midland employ hundreds of our citizens. The promise of more timely, competitive rail transportation with enhanced economic development potential as a result of the CSX/NSC acquisition of Conrail is something our County urgently needs.

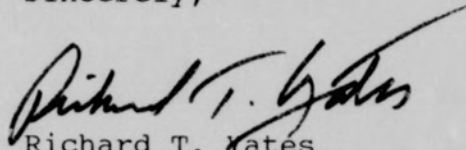
Our concerns are really two fold. First, we do not want to see the potential benefits of the CSX/NSC Conrail acquisition diluted by a laundry list of conditions attached to it. For example, from reading the press it seems to us the efforts of the Canadian railroads to ride the coat tails of CSX and NSC hurts the effectiveness of the CSX/NSC plan and hence hurts our ability to realize more competitive transportation. In short, we would like to see the STB help CSX/NSC do their pro-competitive deal as early and cleanly as possible.

Our second concern stems from Carroll County's location. With Maryland Midland being our sole rail carrier connecting only to CSX today we need to make sure the pro-competitive benefits of the CSX/NSC deal are realized by our industries. We are told Maryland Midland has placed a new proposal in front of CSX which will benefit all parties substantially and ensure the benefits of the acquisition reach our County's industry.

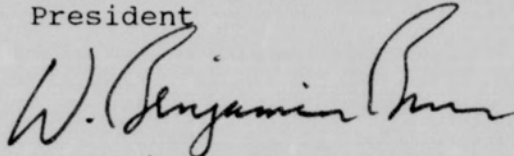
Mr. Vernon A. Williams, Secretary
Surface Transportation Board
Page Two

We urge the Surface Transportation Board to give the CSX/NSC proposal favorable consideration and approval, making sure its benefits reach industry in Carroll County by strongly supporting the Maryland Midland/CSX initiative.

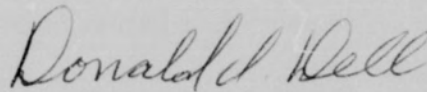
Sincerely,



Richard T. Yates
President



W. Benjamin Brown
Vice-President



Donald I. Dell
Secretary

VILLAGE OF TOLONO

507 W. Strong, P.O. Box 667
Tolono, IL 61880

Phone (217) 485-5212
Fax (217) 485-5117



September 4, 1997

Mr Carmen Gilotte
DeLeuw, Cather & Company
1133 15th Street N W
Washington DC 20005

VIA FAX AT 202.775.3468 AND MAIL

Re: Finance Docket No. 33388 - CSX and
Norfolk Southern Control and Acquisition -
Conrail: Agency Consultation on
Constructions

Village of Tolono, Illinois

Environmental Impact Assessment

Dear Mr Gilotte:

The Village of Tolono, Illinois, is in receipt of a letter dated August 28, 1997, from the Surface Transportation Board, Section of Environmental Analysis. The purpose of this letter is to provide you with a brief response to your questions and to raise our protest over the September 5, 1997 response deadline.

The packet of materials delivered to the Village measured about 3 inches in height representing several hundred pages. While the Village desires to reasonably accommodate any requests, it understandably is very concerned when it is given unreasonable time frames for response. Thus, we reserve the right to supplement these materials as more information becomes available. In addition, we are also providing you with notice that the Village has commissioned a limited environmental impact statement which should be forwarded to you in the first half of October.

I. GENERAL CONCERNS

The Board of Trustees, at their meeting on September 2, 1997, reviewed with the Village Engineer, Village Attorney, and staff the materials provided. It was their consensus that such a spur line would have a large detrimental impact on the Village of Tolono. The following points of concerns were raised:

- The transportation of HAZARDOUS MATERIALS and train traffic appears to be within 75 feet (+/-) of single-family residences.
- The local fire district does not have the equipment to handle hazardous material spills next to the residential areas, especially with the increased probability of their occurrence, as well as the increased probability of fires in general.
- Additional train traffic would be an additional hazard to the people in the area, especially the children.
- The new spur would add another track to the main railroad crossing area for school children; during construction there would be not access across the tracks for the children.
- Increased levels of noise.
- Increased volume of train traffic (from 21 to 37 trains per day).
- What is the summation of time of increase in trains on the N/S line when you increase from 21 to 37 per day?
- Increased train traffic would greatly burden an already stressed access to US Route 45 from the east side of Tolono.
- Lack of number of crossings for all emergency vehicles during such construction.
- Lack of number of crossings for residents during construction, including the closure of one arterial street and one collector street.
- Currently Daggy St, the street which would either be adjacent to the new spur or eliminated by the new spur, is a truck route, used by farmers to deliver grains to the local elevator. How will the construction of the spur effect Daggy Streets current truck route status? Would other streets require a change in their designation?
- There is no time for a planning commission review or zoning board of appeals review at this time.
- Time does not allow responses from individuals in the area.
- The spur does not comply with the Village's land use plan.
- Concern over damage to existing utilities which would be crossed:
 - A trunkline watermain which serves the southern portion of the Village, the mobile home park, and other homes further south has no loop; should it be damaged, no other water service would be available until it is repaired.
 - A 27 in. dia. storm sewer which serves the west side of the Village and the newly constructed US Route 45 detention basins; should it be damaged, no other stormwater outlet would be available until it is repaired.
- Area effected during construction stated as 1,600 ft by 200 ft ? Appears that the 200 feet width would infringe on Village streets or individual lots. We are unable to tell without specific maps being provided (Refer to the attached figure).

- Borrow material would be required. Increased elevations from new construction could increase flooding on adjoining residential areas ?
- Increased train traffic in close proximity to housing. Need to provide suitable noise and visual barrier of allowed to be constructed. Intersection with RR and Benham St to be reconstructed - loss of arterial road on south edge of Village during construction.
- Time of train operation?
- Interference during evening hours?
- What type of freight is expected?
- Increase in closure time of public streets.
- Reverted land use if line is abandoned?
- Expected dates of construction?

II. PRELIMINARY RESPONSE TO QUESTIONS

The responses to the questions in your letter are as follows:

1. Consistency with land-use. The area adjacent to the proposed rail spur is zoned R-2, medium density residential. Almost all of the residences built in the area are comprised of owner-occupied single-family dwellings. In a review of the scale and definition of the Drawings provided, we were unable to determine exactly where the spur line is intended to be constructed. We cannot envision a 100 foot permanent track right-of-way or a 200 foot temporary construction easement without the resulting relocation of persons along Daggy St., the lack of use or even demolition of Daggy St. itself, and the likely demolition of residential homes. It is impossible to imagine a more inconsistent use of land than heavy industrial rail use in the midst of single-family residences.

a. Future classification land-use plan. The future land-use plan classification is the same as it now exists, that being R-2 residential zoning.

b. Potential inconsistent land uses. The proposed railroad spur would not be permitted under R-2 zoning and would be highly inconsistent with the existing and future zoning use of the property.

c. If no land use plan. Not applicable.

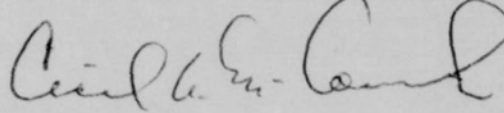
2. Effect on agricultural land. Not applicable.

3. Effect on water resources within coastal zones. Not applicable.

Based upon the materials submitted, we are very concerned about the disastrous impact that the proposed railroad spur will have on our community. We will continue to review the materials and intend to supplement our response with additional information as it becomes available.

Sincerely,

the VILLAGE OF TOLONO, ILLINOIS

A handwritten signature in dark ink, appearing to read "Cecil McCormick", written in a cursive style.

Cecil McCormick
Village President

cc: Elaine K Kaiser, Surface Transportation Board
Carol Moseley Braun, US Senator, w/ att.
Richard Durbin, US Senator, w/ att.
Thomas W Ewing, Member of Congress, w/ att.
Penny Severns, State Senator, w/ att.
Stanley B Weaver, State Senator, w/ att.
Julie A Curry, State Representative, w/ att.
Marc R Miller, Village Attorney
G Alan Peterson, Village Engineer



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Section of Environmental Analysis

August 28, 1997

Mr. Cecil McCormick,
President
Village of Tolono
507 W. Strong, P.O. Box 667
Tolono, IL 61880

RE: Finance Docket No. 33388 -- CSX and Norfolk
Southern Control and Acquisition -- Conrail: Agency
Consultation on Constructions

Dear Mr. McCormick:

On June 23, 1997 CSX Corporation, and CSX Transportation, Inc. (CSX); Norfolk Southern Corporation, and Norfolk Southern Railway Company (NS); and Conrail, Inc., and Consolidated Rail Corporation (Conrail) filed a consolidated Railroad Control Application (RCA) with the U.S. Surface Transportation Board (Board) under 49 U.S.C. 11323-25. NS, CSX, and Conrail (collectively, the Railroads) are jointly seeking authority for NS and CSX to acquire control of Conrail, and for the subsequent division of Conrail's assets (the Acquisition). The Board's Section of Environmental Analysis (SEA) has initiated the environmental review process to carefully investigate environmental issues associated with the proposed acquisition and its related actions, such as abandonments, constructions, and increased rail traffic over existing rail line segments.

The purpose of this letter is to begin consultation with your office under the Board regulations at 49 CFR Part 1105.7(e)(3) and 1105.9, which require an assessment of any proposed rail line segment construction to determine the potential environmental impacts. This effort is being coordinated with SEA's preparation of an Environmental Impact Statement to comply with the National Environmental Policy Act. The Board requests your review of the enclosed maps that depict the location and extent of the proposed rail line segment construction near Tolono. The maps are accompanied by a brief description of the proposed rail line segment construction and the existing land use environment. In your review:

1. Determine the consistency of the proposed rail line segment construction with your future comprehensive land-use plan and map. Please identify:

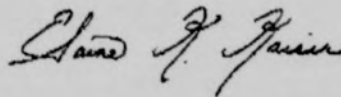
- (a) The future land-use plan classification for the area of the new construction;
 - (b) Any potential inconsistent land uses created by the proposed construction; and
 - (c) If there is no future land-use plan, please identify the applicable zoning classification and any inconsistency.
- 2. Determine and confirm any potential effect of the proposed rail line construction on prime agricultural lands (based on the attached U.S. Natural Resources Conservation Service definition).
 - 3. Determine and confirm any effect on land or water resources within a designated coastal zone and its consistency with the coastal zone management plan.

Please mail or fax your response to:

Mr. Carmen Gilotte
DeLeuw, Cather & Company
1133 15th Street, N.W.
Washington, DC 20005
Phone: (202) 775-3392
Fax: (202) 775-3468

Your involvement in this environmental review process is critical. The Board has adopted an accelerated review schedule for this proposed acquisition, therefore, we look forward to your response on this matter as rapidly as your schedule will allow, preferably no later than **September 5, 1997**. If you have any questions, please call SEA's land use technical team leader for the proposed acquisition, Carmen Gilotte of DeLeuw, Cather & Company, at (202) 775-3392 for assistance. Thank you for your continued assistance with this process. Again, we appreciate your timely response to this request.

Sincerely yours,



Elaine K. Kaiser
Chief
Section of Environmental Analysis

TOLONO (NS)

Tolono, IL is in Champaign County, approximately 65 miles east of Springfield, IL. Existing rail lines in the project area include a north/south oriented Illinois Central Railroad (IC) line and an east/west oriented NS line. These two lines cross via a frog track structure. Connecting lines between these two lines are currently present northeast and northwest of the intersection of the mainlines. These connections allow southbound IC trains or NS trains (using existing trackage rights) to turn east or west, and allow east or west bound NS trains to turn north.

The proposed construction site at Tolono would include an area approximately 1,600 by 200 feet and include approximately 1,600 feet of new rail line. The permanent new rail right-of-way would be approximately 100 by 1,600 feet (3.7 acres). The site is primarily covered with a mixture of gravel, weedy annuals and two deciduous trees. Located between the proposed connection and the IC/NS intersection are three small railroad-associated buildings and an old concrete foundation. The east/west NS rail line borders these structures on the north. Land use adjacent to the site includes residential and commercial properties east and north of the proposed construction.

Proposed Action

The proposed action at Tolono would involve the construction and operation of a new connection between the existing north/south IC and east/west NS rail lines. The connection would be located southeast of the intersection of the IC and NS lines, allowing northbound IC trains to turn east and westbound NS trains to turn south. This new construction would permit efficient train movement between the Northeast and Southwest. This provides an alternative connection with the IC for traffic between the Southwest and Northeast. This will provide a competitive alternative for customers and avoid congested areas including E. St. Louis, IL. The design includes approximately 1,600 feet of new rail line construction. Approximately 3.7 acres would be required.

Construction Requirements

The exact labor force and duration of construction are not available, but are expected to require 10-15 people and three to six months. Borrow material for the project would be obtained from local sources and hauled to the construction site by rail or truck.

Changes in Traffic

The proposed Acquisition would result in the following estimated rail traffic changes to the existing rail lines that would be connected by the project:

- Traffic on the existing NS line would increase from 21 to 37 trains per day.
- Traffic on the new connection would be two trains per day.

Land Use

The proposed construction site is primarily covered with a mixture of gravel and weedy annuals. Three railroad buildings are located southeast of the IC/NS rail line intersection. An old concrete foundation is

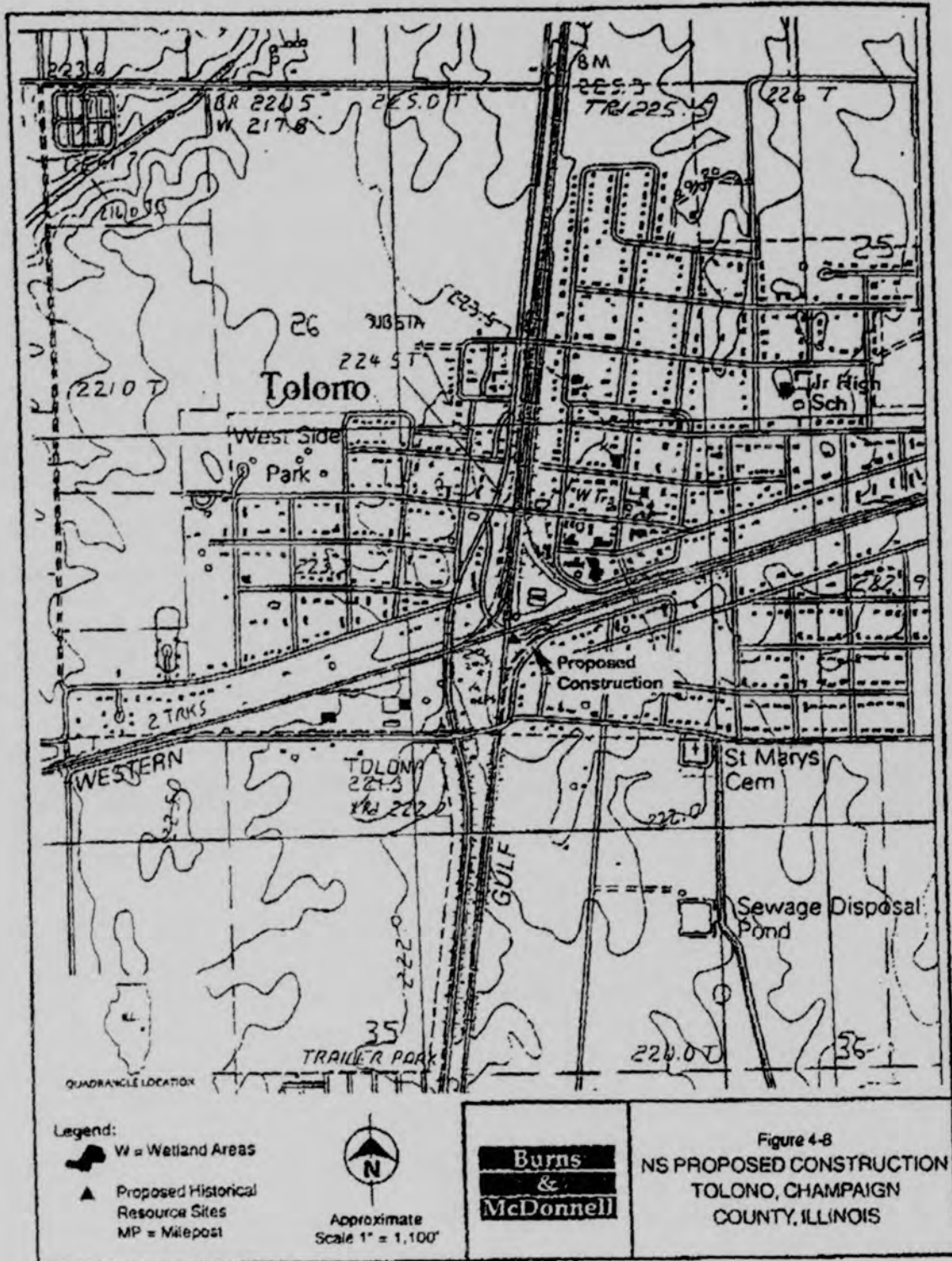
also located in this area. Daggy Street and Clark Street border the proposed connection on its eastern side. The proposed construction crosses Bernham Street, south of the IC/NS rail line intersection. Two residences are between 125 and 150 feet east of the proposed construction site off Daggy and Clark streets.

Adjacent areas include grass-covered lawns with mixed evergreen and deciduous trees with a mixture of gravel and weedy annuals bordering the rights-of-way. A narrow wooded area runs approximately 250 feet west of the IC and NS intersection, bordering the southern side of NS's right-of-way. Two overhead telephone lines cross the project site. One is adjacent to the southern side of NS's right-of-way while the other borders the eastern side of IC's right-of-way. A fiber optic cable is located along the north side of the existing NS line. Other land uses include a grain elevator owned by the Grand Prairie Company, approximately 500 feet east of the IC and NS intersection. This facility is served by a rail spur off and north of the existing NS line. A residential area begins approximately 500 feet north of the proposed connection. Residences are present south and east of the project area. The project area is zoned residential.

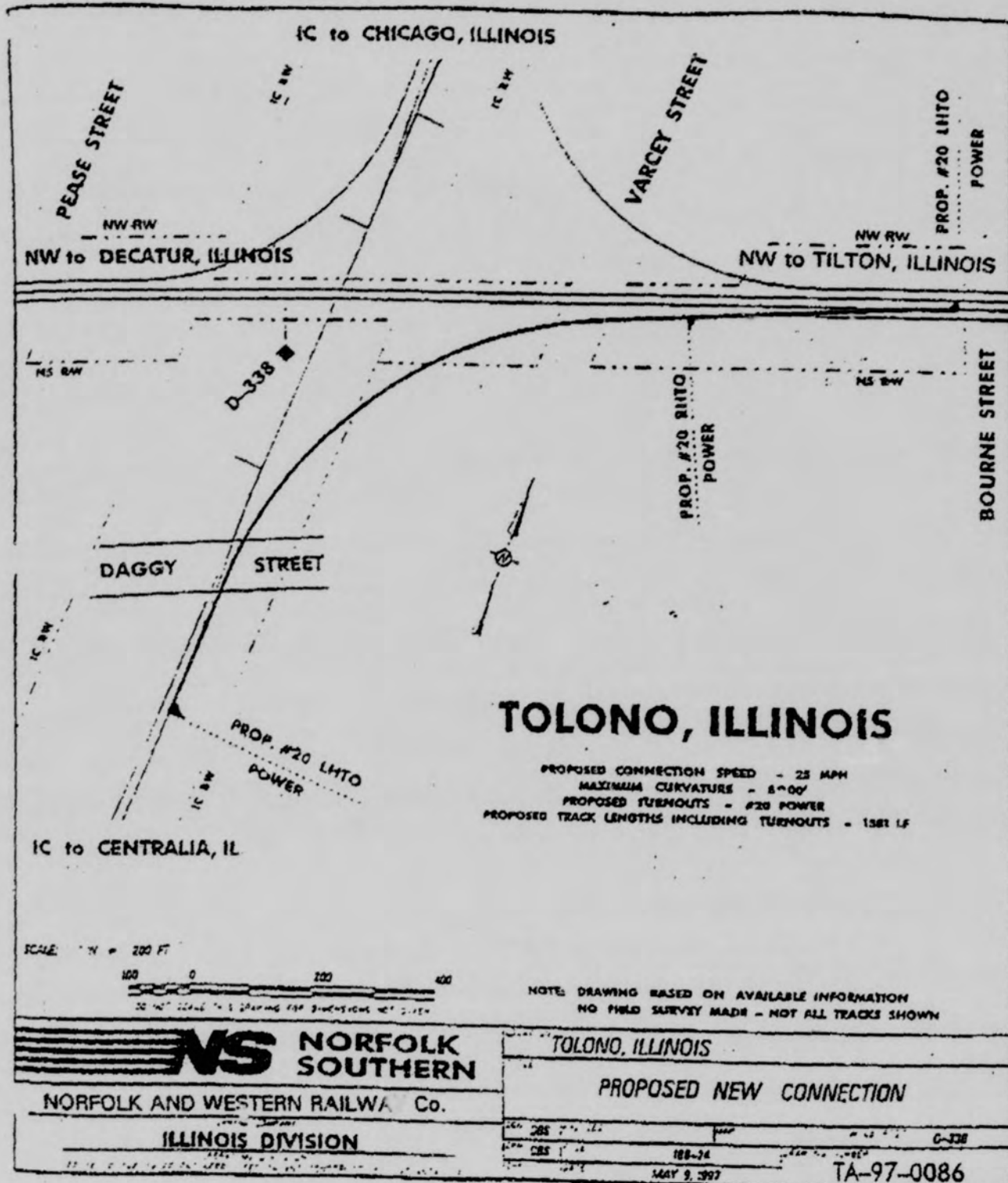
Soils at the proposed construction site are classified as prime farmland.

The project is not within a designated coastal zone.

According to the Bureau of Indian Affairs, no federally-recognized Indian tribes or Indian reservations exist in Illinois.



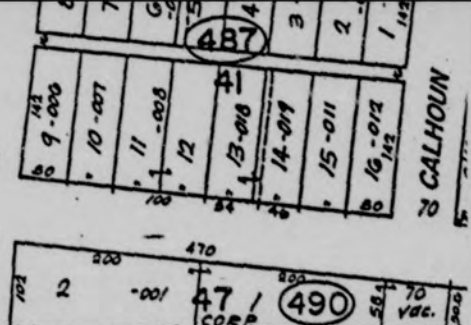
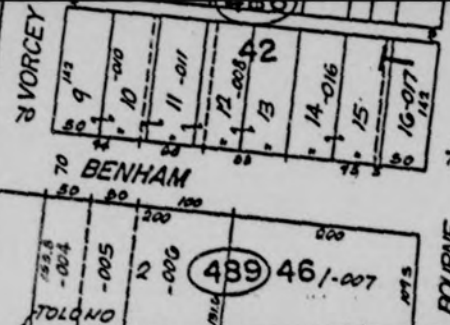
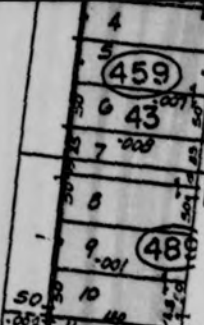
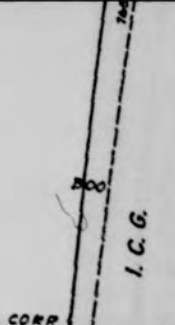
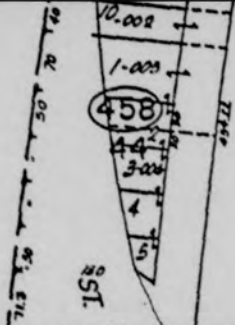
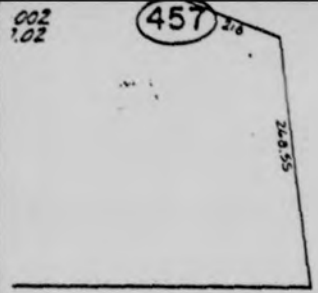
ST. Finance Docket No. 33388 (Sub- 13)
Exhibit





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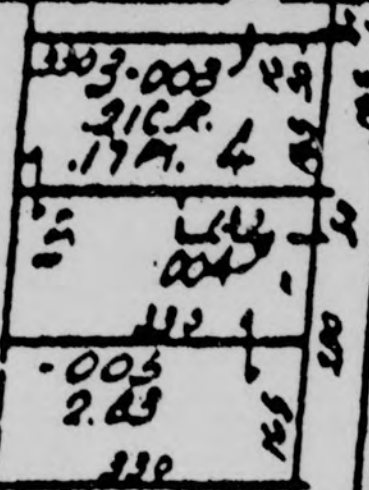
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5

SEC.

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-008
20.00 C

NORTH

Taavo ILLINOIS
9.4.97



2-2 RESIDENTIAL LOTS



1600 FT BY 200 FT CONSTRUCTION
ZONE - APPROXIMATE BOUNDARY

STB

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9-9-97

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BUSINESS

EMA

ERIC MOWER AND ASSOCIATES / PUBLIC RELATIONS SERVICES

September 3, 1997



Vernon A. Williams, Secretary
Surface Transportation Board
12th and Constitution Avenue, N.W.
Washington, D.C. 20423

Dear Mr. Williams:

I wanted to write a quick note to sincerely thank you for your letter to the Surface Transportation Board supporting the proposed CSX/Norfolk Southern joint acquisition of Conrail.

We appreciate your support of the merger and the economic benefits it will bring to the Capital Region. Please let me know if ever I can be of assistance in return.

If you have any additional questions regarding the proposed merger, please don't hesitate to contact me. I'd be glad to help in any way I can.

Thanks again.

Best Regards,

Jennifer A. Thompson
Senior Account Executive

18 CORPORATE WOODS BOULEVARD, ALBANY, NY 12211

518 449 3000 (FAX) 518 449 4000

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FD 33388



September 3, 1997

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423-0001

Dear Secretary Williams:

The Metro South Chamber of Commerce would like to express its support for the Norfolk Southern/CSX acquisition of Conrail and the pending application before the Surface Transportation Board.

Our business members depend on safe, reliable and inexpensive rail transportation and we feel that this acquisition will help to preserve and promote a competitive rail system to achieve those goals.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Mark N. Eagan'.

Mark N. Eagan
President and CEO

STB

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9-9-97

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GOV

EO 12372
WEEKLY LOG
PGM=N150

STATE OF MISSISSIPPI
STATE CLEARINGHOUSE FOR FEDERAL PROGRAMS

DATE 08/28/97
09/03/97

MS APPLICANT NO.: MS970902-007
IMPACT AREA(S):

APPLICANT:
SURFACE TRANSPORTATION BOARD

CONTACT: ROBERT V. ALLEN
PHONE: (800) 325-8182

1925 K STREET, N.W.
WASHINGTON DC 20423-0001

FEDERAL AGENCY: DEPARTMENT OF TRANSPORTATION

FUNDING: FEDERAL
LOCAL
TOTAL

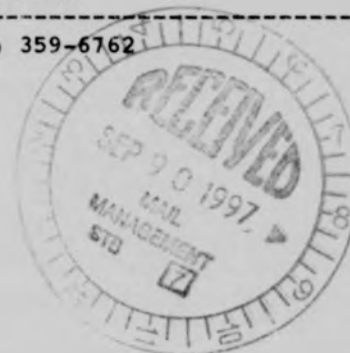
APPLICANT
OTHER

STATE
PROGRAM

DESCRIPTION: CSX CORP. & CSX TRANSPORTATION, INC., NORFOLK SOUTHERN CORP.
& NORFOLK SOUTHERN RAILWAY CO. CONTROL & OPERATING LEASES/
AGREEMENTS-CONRAIL INC. & CONSOLIDATED RAIL CORP. ERRATA &
SUPPLEMENTAL ENVIRONMENTAL REPORT TO VOLUME 6 (ENVIRONMENTAL
REPORT) OF THE PRIMARY APPLICATION. DOCKET NO. 33388.
CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER

303 WALTER SILLERS BLDG. - JACKSON, MS 39201 (601) 359-6762

- THIS IS AN ACKNOWLEDGEMENT ONLY -



STATE AGENCIES MUST REVIEW CERTAIN PROPOSALS PRIOR TO RECEIVING MISSISSIPPI INTERGOVERNMENTAL REVIEW PROCESS CLEARANCE. THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY REVIEWS ANY PROPOSALS INVOLVING CONSTRUCTION, SUCH AS A HIGHWAY OR AN APARTMENT COMPLEX FOR COMPLIANCE WITH CULTURAL RESOURCES AND HISTORIC PRESERVATION. MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY, OFFICE OF POLLUTION CONTROL, REVIEWS APPLICATIONS IN ACCORDANCE WITH THE FEDERAL WATER POLLUTION CONTROL ACT. THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES REVIEWS APPLICATIONS FOR CONSISTENCY WITH THE COASTAL PROGRAM.

IF APPLICATIONS ARE FOR PROJECTS OF LOCAL IMPACT, THEY SHOULD BE SENT TO THE APPROPRIATE PLANNING AND DEVELOPMENT DISTRICT AT THE SAME TIME. PLEASE NOTE THAT ONE OF OUR REQUIREMENTS IS THE USE OF STANDARD FORM 424. THE DEPARTMENT OF FINANCE AND ADMINISTRATION PREPARES AND DISTRIBUTES A WEEKLY LOG LISTING PERTINENT INFORMATION CONTAINED ON THIS FORM. OUR ADDRESS IS 303 WALTER SILLERS BLDG. 39201 AND OUR PHONE NUMBER IS (601) 359-6762.

STB

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9-8-97

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PUBLIC

#FD 33388

Federal Surface Transportation Bd.

We are definitely not in
favor of 38 trains per day
running through Lakewood,
Ohio

Mr. and Mrs. Jack Maxfield
1241 St. Charles Ave.
Lakewood, O. 44107

Larry Maxfield
Jack Maxfield



Docket# FD 33388

30101 Wensselaer
Bay Village, Oh. 44140
August 27, 1997

Surface Transportation Board
1925 K St. S.W.
Washington, D.C. 20423



Dear Transportation Board:

I am irate over the plan to endanger our lives and disrupt our community just to increase the number of trains travelling through Avon Lake, Bay Village, Rocky River & Lakewood from 14 to 38 each day. Emergency Vehicles will not be able to transport victims, thus resulting in life-threatening situations. Increased numbers of collisions due to frustrated citizens will also endanger lives. Our community of Bay Village will basically be shut down for hours a day, at the expense (or monetary gain) of "railroad commerce". Tax revenues and decreased property values will both be a direct result of this plan.

I urge you to redirect these trains south as planned earlier rather than face the consequences of endangering so many lives.

Gail M Adams

August 14, 1997

Re: F.D. 33388
Secretary of the Surface Transportation Board
1925 K Street N.W.
Washington, D.C. 20423



Dear Sir or Madam:

After reading the enclosed article, it is with great concern that I submit this letter to the Secretary of the Surface Transportation Board.

As a resident of Rocky River, Ohio, I wish to express my concerns regarding the devastating impact that will result, if the Conrail/Norfolk Southern merger, with the proposed subsequent dramatic increase in freight traffic through the western suburbs of Cleveland, is approved by your Board. Already, the residents of the communities listed in the attached article, as well as others in the cities of Lorain, Vermilion, etc. bordering Lake Erie, have to deal with the noise, inconvenience of blocked tracks preventing travel to and from the south and north portions of the cities, hazardous waste spill worries, noise and air pollution, and the obvious serious interference with the police, emergency-rescue squads, and the fire department vehicles answering emergency calls because the track crossings are blocked. Our school-aged children already have the hazard of walking over these busy rail crossings to attend school, and the thought of all these children dealing with more danger caused by the increased freight traffic is extremely frightening.

If it was possible for your Board to visit the communities west of Cleveland to see first hand the impact the proposed increase in freight traffic (from 14 to 38 trains per day) will create, the Board could then appreciate the legitimate concerns. These tracks do not run on the outskirts of these communities, but instead run right through the center of the residential districts. As the article states, the city of Lakewood alone has 27 crossings. The increase in freight traffic could virtually tie up these cities' ability to protect its citizens, as well as prevent the citizens from having the ability to freely travel within their own city limits. Why should these communities and their citizens have to suffer to accommodate an increased profit for the rail companies. Already it is impossible some nights to sleep due to the noise created by the already too heavily traveled tracks, now we are told the matter could get dramatically worse.

First reports that the tracks would no longer be used for the transportation of freight, but would be turned over for the Cleveland Rapid Transit Authority (RTA) for commuter trains were heralded. Now the communities read that these plans have fallen through, and the already unbearable freight traffic will be almost tripled. Who is to say that once the increased number of freight cars start roaring through our communities the freight traffic will not be quadrupled, or worse.

Page 2.
F.D. 33388

It does not seem right that the communities' mayors or other representatives were not given an opportunity to attend the meetings which approved the ruination of our cities. It will be the citizens who bear the personal economic loss due to a reduction in their property value, as well as having the otherwise tranquility of our cities further diminished by the rail companies.

We trust that the Surface Transportation Board will hear our legitimate concerns and complaints and will spare us from the greed that NS-CSX have displayed by their lack of concern for what their plans will do to these communities.

Thank you for your time, concerns and consideration in this extremely important matter!

Sincerely,

Kathleen M. Cray
105 Cliffside Commons
Lackey River, Ohio
44116

Volunteers for activism

Speaking of railroad crossings and trains, everyone by now has heard of the proposed plans of the Norfolk Southern Railroad to increase the number of freight trains daily on this line from 14 to 38, almost tripling the total number of daily freight trains through the local suburbs.

Congressman Dennis Kucinich is opposed to this as are the local mayors. Lakewood has 27 crossings. Rocky River has four, but as one examines the city, the Fire Department and Police Department are on the southern side of the city, across the tracks. The response time to the northern section of the city could be increased if the number of freight trains were tripled.

A Rocky River resident and her husband, Ann Petrus Baker and David Baker, of Elmwood Road, have decided to protest the proposed plans of Norfolk Southern.

Ann contacted the congressman's office and received the mailing address for letters of protest to the Secretary of the Surface Transportation Board. She discovered that the general public could not testify in June 1998 before the Surface Transportation Board because the deadline to register to speak had passed. The public did not know of the plans until it was too late. The board will accept letters from residents until the June 1998 hearing.

The Bakers are seeking volunteers who would help with this campaign, both letter-writing and helping to inform the public. They feel an organized community effort may help to persuade the Surface Transportation Secretary of the dangers to local communities. Ann cited some dangers: potential hazardous cargo spills, coal dust and its effects on children in the respiratory system, and the polarization of the city and the safety forces.

The letters MUST include the letters F.D. (federal document) and the number 33388 BOTH on the ENVELOPE and on the LETTER inside. Send your letter to: Secretary of the Surface Transportation Board, 1925 K Street, N.W., Washington, D.C., 20423. Ann was told the letters will be read. The letters must reach the board prior to June 1998.

If you want to volunteer to help this cause, contact the Bakers at 331-4280.

City preparing to fight railroad expansion through Lakewood

The time from rumor to fact was less than two weeks, from the time this city and others along the railroad tracks learned the intentions of the Norfolk Southern railway to triple train traffic through Lakewood.

On July 28, Mayor Madeline Cain appointed a task force to meet with Norfolk Southern Corporation to discuss rumors surrounding the railroad's plans for its tracks running through Lakewood.

The following day, Lakewood officials met with NS lobbyist Patrick McCune, who informed them that NS had jointly filed with CSX Corporation a plan for approval with the U.S. Surface Transportation Board, dividing the assets and control of Conrail between NS and CSX and seeking approval of an NS proposal to triple the number of freight trains through Lakewood.

Earlier plans for NS to allow RTA to operate commuter trains over the same tracks had been abandoned.

Lakewood subsequently contacted the STB in Washington to confirm the STB's schedule for approving the railroads' operating plan.

Lakewood then contacted its west-shore neighbors, including cities of Rocky River, Bay Village and Avon Lake, and Cudell Improvement Development Corp., a nonprofit community development corporation on Cleveland's west side.

On August 5, Lakewood was the first to file a "Notice of Intent to

Participate" with the federal agency.

A 350-day schedule for reviewing the NS-CSX proposal has been established, with a decision expected in June of 1998.

August 6, Lakewood, Bay Village, Rocky River officials, along with Congressman Dennis Kucinich, met with McCune to further discuss the railroads' plans, and agreed to work together in fighting the proposed increase in rail traffic.

A statement of adverse impact was filed with Kucinich on August 7, citing many detrimental effects should rail traffic increase:

Police and fire forces could not respond to fires, crime and natural disasters in a timely fashion;

Increase in rail traffic would interfere with the ability of Lakewood Hospital to respond to emergencies; (A. Lake, B. V., R. River

Coordinated responses between Lakewood and other communities would be hampered;

There would be a greater risk of hazardous materials' spills;

School children would be endangered;

Economic growth would suffer;

There would be increases in noise and air pollution, restrictions of traffic movement and backups of traffic on residential streets. Residential areas would be isolated from the business community;

Property values would be adversely affected.

JOHN P. BERGAN, JR.
26622 Wolf Road
Bay Village, OH 44140



September 2, 1997

Federal Surface Transportation Board
Section of Environment Analysis
1925 K. Street NW
Washington, DC 20423

Re: Federal Docket No. FD 33388

Dear Sirs:

I am writing you concerning the proposed increase in the number of trains in the West Shore communities by Norfolk & Southern Railroad. I am very concerned about emergency vehicles having to cross the tracks and experiencing long delays. This could result in a loss of life regarding fire and EMS emergency runs.

The proposed increase to 38 trains each day is unacceptable.

Thank you for your consideration regarding this important matter.

Sincerely,

John P. Bergan, Jr.

STB

FD

33388

9-8-97

J

CITIES



Wayne K. Curry
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE



August 26, 1997



Ms. Elaine K. Kaiser, Chief
Section of Environmental Analysis
Office of the Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Kaiser:

Thank you for offering us the opportunity to review the draft scope of work for the Environmental Impact Statement (EIS) for the proposed buyout of Conrail. Please note that in January 1997 we reviewed an EIS outline that was prepared by the consultant (Burns & McDonnell), who at that time was preparing this report for the Norfolk Southern's proposed acquisition of Conrail and submitted comments.

We were pleased to see that the proposed scope of work, as presented, appears to address our concerns regarding the possible impacts increased freight traffic might have on adjacent land use and future commuter rail service. We are concerned that the MARC commuter rail service continue to be able to operate the current level of service and be afforded options to expand in the future. Prince George's County would be opposed to any changes that would have an adverse social, economic or transportation impact on its residents.

Again, thank you for the opportunity to review and comment on the scope of work for the EIS. We do desire to be kept abreast of the study's progress, and such information should be transmitted to Ms. Betty Hager Francis, Director, Department of Public Works and Transportation (DPW&T), 9400 Peppercorn Place, Suite 300, Largo, Maryland 20774. She will be pleased to review it and assist as necessary.

Sincerely,

Wayne K. Curry
County Executive

cc: P. Michael Errico, Deputy Chief Administrative Officer
Betty Hager Francis, Director, DPW&T

14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772
(301) 952-4131
TDD (301) 925-5167

STB

FD-33388

ID-181729

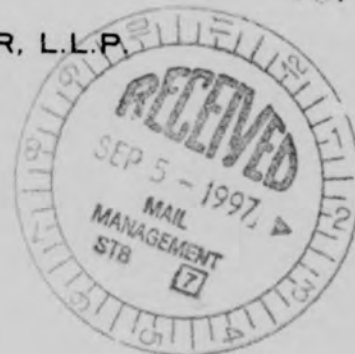
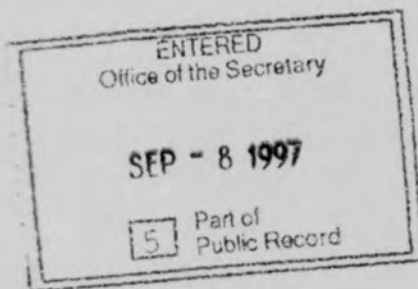
9-5-97

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LAW OFFICES

ZUCKERT, SCOUTT & RASENBERGER, L.L.P.

888 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20006-3939
TELEPHONE : (202) 298-8660
FACSIMILES: (202) 342-0683
(202) 342-1316



September 5, 1997

Office of the Secretary
Case Control Branch
Attn: STB Finance Docket No. 33388
Surface Transportation Board
1925 K Street, N.W.

Re: Service List in Finance Docket No. 33388

Dear Secretary Williams:

We would appreciate your removing the following two undersigned individuals as Parties of Record in Finance Docket No. 33388:

Andrew R. Plump
Zuckert, Scoutt & Rasenberger, L.L.P.
888 Seventeenth Street, N.W.
Washington, D.C. 20006

Scott M. Zimmerman
Zuckert, Scoutt & Rasenberger, L.L.P.
888 Seventeenth Street, N.W.
Washington, D.C. 20006

Our clients, Norfolk Southern Corporation and Norfolk Southern Railway Company, are already represented on the service list by Richard A. Allen of this firm.

Although this request is filed after the August 29, 1997 deadline set forth in Decision No. 21, we respectfully seek leave to file this request and ask that the request be granted. Removing our names from the list of Parties of Record will prejudice no party and will in fact ease the administrative burden on all parties and serve the Board's goals of avoiding unnecessarily duplicative service of pleadings and maintaining on the service list only one official representative per party.

ZUCKERT, SCOUTT & RASENBERGER, L.L.P.

Office of the Secretary

September 5, 1997

Page - 2 -

Pursuant to Decision No. 21, enclosed are the original and 10 copies of this request with an attached certificate of service.

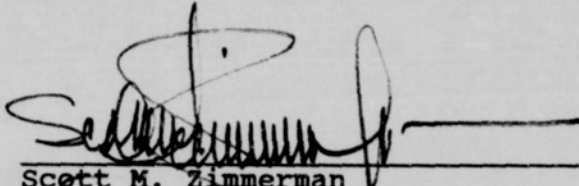
Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Andrew R. Plump", followed by a horizontal line extending to the right.

Andrew R. Plump
Scott M. Zimmerman

Certificate of Service

I hereby certify that on September 5, 1997 I caused a copy of the attached letter to be served by first class U.S. mail, or by more expeditious means, upon all Parties of Record listed in the service list attached to Decision No. 21 in Finance Docket No. 33388, and upon Administrative Law Judge Jacob Levanthal.

A handwritten signature in black ink, appearing to read 'Scott M. Zimmerman', is written over a horizontal line.

Scott M. Zimmerman
ZUCKERT, SCOUTT & RASENBERGER, L.L.P.
888 Seventeenth Street, N.W.
Washington, D.C. 20006
(202) 293-8660

STB

FD-33388

ID-181718

9-4-97

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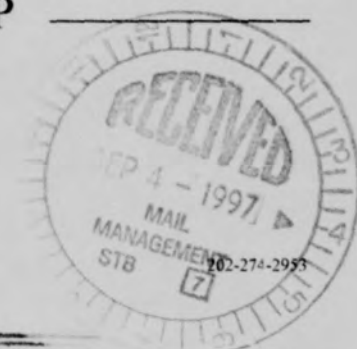
TROUTMAN SANDERS LLP

ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

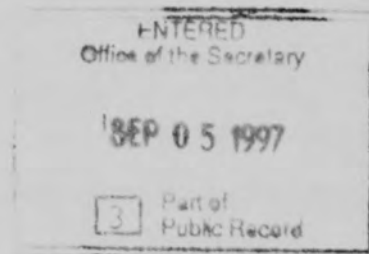
1300 I STREET, N.W.
SUITE 500 EAST
WASHINGTON, D.C. 20005-3314
TELEPHONE 202-274-2950
FACSIMILE 202-274-2917

William A. Mullins

September 4, 1997



The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 711
Washington, D.C. 20423



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*

Dear Secretary Williams:

This letter, although filed after the date indicated in Decision No. 21 issued on August 19, 1997 in this proceeding, is to report a correction to the Service List attached to Decision No. 21. On the Service List attached to Decision No. 21 Somerset Railroad is, and should remain, listed as a Party of Record, but the listing of Michael McBride of LeBoeuf, Lamb, Greene & MacRae, LLP as counsel to Somerset Railroad should be deleted. Somerset Railroad is representing themselves in this proceeding and should be listed on the Service List as indicated below.

GARY EDWARDS
SUPERINTENDENT OF RAILROAD OPERATIONS
SOMERSET RAILROAD
7725 LAKE ROAD
BARKER, NEW YORK 14012
716-795-9501 (SAME AS FAX)

Although Troutman Sanders LLP does not represent Somerset Railroad, Mr. Edwards requested our firm to send this letter on his behalf. Your consideration of this late filed correction to the Service List would be greatly appreciated.

TROUTMAN SANDERS LLP
ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

Vernon A. Williams
September 4, 1997
Page 2

As directed by Decision No. 21, enclosed are ten copies of this letter. Please date stamp and return the extra copy.

Sincerely yours,



William A. Mullins
Attorney for New York State Electric & Gas

cc: All Parties of Record

STB

FD-33388

ID-181708

9-4-97

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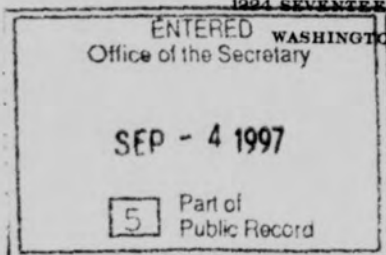
SLOVER & LOFTUS

ATTORNEYS AT LAW

WILLIAM L. SLOVER
C. MICHAEL LOFTUS
DONALD G. AVERY
JOHN H. LE SEUR
KELVIN J. DOWD
ROBERT D. ROSENBERG
CHRISTOPHER A. MILLS
FRANK J. PERGOLIZZI
ANDREW B. KOLESAR III

1224 SEVENTEENTH STREET, N. W.

NRPC-05



202 347-7170

September 4, 1997

BY HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
ATTN: STB Finance Docket 33388
1925 K Street, N.W.
Washington, D.C. 20423-0001

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

Dear Secretary Williams:

The National Railroad Passenger Corporation ("AMTRAK") hereby gives notice that it intends to file a reply to petitions for waiver filed by Ann Arbor Railroad (AA-2) and Connecticut Southern Railroad, Inc. (CSO-2), both dated August 22, 1997.

Although the above petitions were filed on the 22nd, they were initially served only on counsel for Applicants, despite the requirement in Decision No. 21, served three days earlier, that future filings be served on all parties of record. The petitions subsequently were served on Amtrak and others by mail on August 28, 1997, but were not ultimately received by the undersigned Amtrak counsel until Tuesday, September 2, 1997.

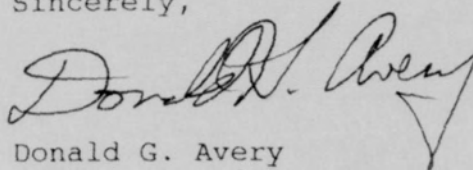
Under part 1180.4(f) of the STB rules, replies to a petition for waiver are "due within 10 days of service." Accordingly, AMTRAK hereby gives notice that it intends to respond to the above petitions for waiver on or before Monday, September 8, 1997. AMTRAK respectfully requests that no action be taken on these petitions until after it is given an opportunity to respond.

Please contact the undersigned if there are any questions concerning this notice. We have included an extra copy of

The Honorable Vernon A. Williams
September 4, 1997
Page 2

this notice and the attached certificate of service. Kindly indicate receipt by time-stamping this copy and returning it with our messenger.

Sincerely,

A handwritten signature in dark ink, appearing to read "Donald G. Avery". The signature is fluid and cursive, with a large, stylized "A" at the end.

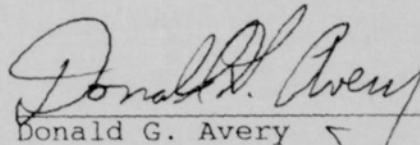
Donald G. Avery
An Attorney for the National
Railroad Passenger Corporation

cc: The Honorable Jacob Leventhal
All Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Notice were served this 4th day of September, 1997, by first-class mail, postage pre-paid, upon all Parties of Record in this Proceeding, and upon:

The Honorable Jacob Leventhal
Federal Energy Regulatory Commission
888 First Street, N.E.
Suite 11F
Washington, D.C. 20426


Donald G. Avery

STB

FD

33388

9-4-97

J

PUBLIC

KERRIGAN, J.
12700 LAKE AVE #602
LAKELAND OHIO

Re Docket # F033358



We wish to protest
the proposed increased
rail traffic through
my neighborhood.

The tracks in ques-
tion cut us off from
fire, police and
hospital access during
the already extensive use
of these tracks by train
traffic.

Geraldine M. Kerrigan
Joseph W. Kerrigan



15520 Edgewater Drive
Lakewood, Ohio 44107
August 30, 1997

How many more lives
have to be lost by additional trains
running through the West Side?

I almost had a heart
attack when the train whistle
blew loudly and unexpectedly, while
I was visiting a friend who
lived next to the tracks.

We don't need any more
trains running through the
West Side of Cleveland!

With deep concern,
Jan Carpenter

Document # FD 33388

August 29-79

RE : FD 33388 Document no

Dear Sir:

This letter is asking
please no more trains. At times
it is hard to put up with as it is
now! I spent several years looking
for a nice little place to live, now
I am happy, please don't wreck
it.....

And my daughter has needed
911 several times (very urgent problem),
I'd hate to see trains divide across
getting there fast to the hospital.

And there's a heavy population
here, at a time of bad accident,
evacuation of the neighborhood would
be a nightmare.

Sincerely

Mrs. Marie Sheroke
1306 W. 116th St #18
Cleveland - Ohio

44102.



Federal Surface Trans. Board
Section of Environmental Analysis
1925 K St. N.W.
Washington, W. C. 20423



Re: FD 33388 / Rail Traffic
West Shore Suburbs
Northeast Ohio

Dear Sir:

The purpose of this letter is to protest the increase in rail traffic on the Cleveland-Vermilion Oh line of Norfolk Southern.

I live in Lakewood, Oh one of the suburbs involved and the most densely populated area between New York & Chicago.

This proposal would

- (1) Increase the potential for accidents
- (2) Increase response time of emergency vehicles
- (3) Back up traffic down

residential streets

- (4) Drastically increase the noise
(proposal calls for a tripling
of trains)
- (5) Result in the devaluation
of property.

You must hold local hearings
& listen to the residents. The
government works for us not
the other way around, we have
a right to be heard & you have
an obligation to see first
hand what havoc this
proposal would cause.

You are talking about the
quality of life here in our
lovely community. Something
we have worked very hard
for & will fiercely defend.

Very Truly Yours
Rosemary Munnath
1487 Winton Ave
Lakewood, Ohio

44107

August 28, 1997

Surface Transportation Board
1925 K St. N.W.
Washington, D.C. 20423



Re: Docket number FD 33388

Dear Sirs:

I am writing in regards to the plans of Norfolk-Southern Railroad's plan to increase rail traffic through our city.

I am a 40 year resident of Lakewood. It has been a great community to grow up in, live in and raise my family in. I live four houses north of the railroad tracks and until this summer have never really had a problem with train traffic.

I understand the company wants to triple the number of trains through our city. Whether you realize it or not, they have already increased the number of trains going through this city. This summer train traffic has probably doubled already. The noise at times has become more than just annoying. By increasing the number of trains it will be more than just noisy. This is a very populated residential area. With more than one train averaging every 45 minutes or so it will tie up the North-South traffic in the city. This will be a problem for emergency vehicles. I would hate to be in need of assistance only to have the ambulance or police stuck on the other side of the tracks. Increased rail traffic also poses a hazard for the many children walking to and from school. Not only would it be dangerous for them, they would also have the confusion of what to do if the train was stopped for some reason. As a parent that is a very real safety issue. Also, after just receiving a tax increase, our property values would go down. That is a direction I don't think Lakewood citizens or officials want to go. Also, an increase in the number of trains will increase the chances of train-car accidents or train-pedestrian accidents. Although a lot of these accidents are caused by carelessness on the part of the drivers it doesn't make them any less real.

No good can come to our community by Norfolk-Southern's plans and I strongly urge them to find an alternative plan. Too much is at stake for the residents of the cities on this route for them to not stop and take notice.

Very Truly Yours,

Mrs. MaryEllen Adams

August 28, 1997



To Whom in May Concern:

Regarding Docket number FD 33388

I am an elderly Lakewood resident. In the summer I enjoy sitting on my front porch. This summer has been the most annoying of my nearly sixty years living here. I live just north of the Norfolk-Southern railroad tracks. The increase in the number of trains this summer has made it impossible to sit outside for any length of time - let alone try to have a conversation. The noise is deafening. Some of the trains blow their whistle constantly. I know they need to do it at the crossings but to do it the entire time shows little regard for the neighborhood.

I understand that the railroad wants to triple the number of trains through the city. Don't they realize the consequences of this action. There is more involved here than the railroad company cares to address. They need to look at what it will cost the citizens - not just what their company will gain. It is a safety problem, emergency problem, traffic problem and noise problem and a pollution problem. That seems like a lot a negatives to me. All of these issues need to be recognized and acknowledged.

I hope to be able to continue enjoying my front porch in the future.

Sincerely,

Mrs Anne Yuhas

Mrs. Anne Yuhas
1305 Bonnieview Ave.
Lakewood, Ohio 44107

Robert A. & Lynn F. Lunoe
30310 Ashton Lane
Bay Village, OH 44140-1717
216-871-3450



August 29, 1997

Federal Docket No. FD 33388
Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street NW
Washington, DC 20423

Dear Federal Surface Transportation Board:

Re: Federal Docket No. FD 33388

Please prevent the rerouting of more trains through Lakewood, Rocky River and Bay Village, Ohio.

Truly this is a real public safety issue because of the large number of crossings and the lack of safe underpasses/overpasses for motorists and pedestrians to use to avoid crossing in front of the trains.

The communities along the Norfolk Southern tracks are densely populated residential areas, and increasing the train traffic through these areas is both dangerous and undesirable.

As a resident of Western Bay Village, I am concerned about emergency vehicles having unhampered access to regions south of the railroad tracks, where all of the hospitals and emergency medical care facilities are located. The closest overpass to me is at I-90 and Clague. If the tracks are blocked by a train passing or even stopped on the tracks, the five mile trip from my home to the Clague underpass would cost precious minutes for emergency vehicles. Also, access to I-90, the major artery to medical trauma centers, major businesses, entertainment and recreation areas would be blocked.

Please rethink what you are doing. Lakewood alone has too many serious train/auto accidents with the current train traffic. Surely more lives will be lost if the traffic increases! Please do not allow this to happen to the residents of these communities. Our safety and the safety of our children and those who work in our community will be greatly compromised.

Sincerely,

Robert A. Lunoe

Lynn F. Lunoe

cc: Mayor Thomas Jelep, City of Bay Village

MEMORANDUM

To: FTSB
From: Jeffrey Skelin, 29525 Lincoln Rd, Bay Village, Ohio 44140
Date: August 28, 1997
RE: Proposed Rail Traffic Increase, FD33388



I am writing to express my concern over the proposed increase of rail traffic on the west side of Cleveland, Ohio.

The suburb I reside in, Bay Village, is entirely cut off from access to other communities and emergency systems by this rail system. In fact, there is only one road out of Bay Village that is not impacted by the rail lines.

An increase in rail traffic will mean:

- Additional safety concerns at rail crossings, resulting in an increase in collisions and deaths at the crossings.
- Safety concerns due to limited access to hospital, ambulance and fire crews entering our city from Westlake, Ohio.
- Traffic delays due to continual rail traffic.
- Additional and unnecessary noise and air pollution in a residential area due to the operation of the rail line.

I strongly oppose the proposed action, and request the Federal, State and Local government agencies DENY the increase in rail traffic in the Northwest suburbs of Cleveland, Ohio

cc: D. Kucinich
T. Jelepis

13471 Clifton Blvd.
Lakewood, OH 44107
216-228-7454
August 28, 1997

FD33388



Federal Surface Transportation Board
Section of Environmental Analysis
1925 K Street, NW
Washington, DC 20423

Dear Sir:

I am writing as a resident of Lakewood, OH to voice my support for the takeover of Conrail by Norfolk Southern and CSX.

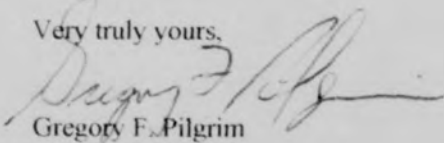
The opposition voiced by local politicians over the increased train volume which will pass through the western suburbs of Cleveland ignores the benefits which will be realized as a result of the takeover:

- Reduced trucks on the highways passing through the western suburbs as a result of intermodal shipments to the West being loaded in Cleveland rather than depending on highway movement to the Chicago rail facilities (CSX has estimated the reduction at 8,000-10,000 trucks/year when they open their new intermodal facility at Collinwood Yard, Cleveland--a Norfolk Southern intermodal facility in Cleveland will further reduce the number of trucks passing through the western suburbs).
- The ability of companies in the Greater Cleveland area to remain, or become, competitive as a result of transportation cost savings benefits which will result from the takeover.
- The strong financial health of a good tax paying corporate citizen, Norfolk Southern Corporation.

The politicians who voice such strong opposition to the increased rail traffic though the western suburbs are the same ones who opposed the widening of Interstate 90 through the western suburbs, campaign about the importance of a strong local economy, and promote the benefits of strong schools which are currently supported by real estate tax revenues. It is important that their opposition be viewed as political grandstanding and that it not be allowed to interfere with this decision.

The takeover of Conrail by Norfolk Southern and CSX is important to the Greater Cleveland area because of its impact on reducing highway congestion, its affect on strengthening the local economy, and its affect on the financial health of Norfolk Southern. I strongly urge that the takeover be approved by the Surface Transportation Board.

Very truly yours,


Gregory F. Pilgrim

STB

FD

33388

9-4-97

J

LAW

SLOVER & LOFTUS

ATTORNEYS AT LAW

1224 SEVENTEENTH STREET, N. W.

WASHINGTON, D. C. 20036

WILLIAM L. SLOVER
C. MICHAEL LOFTUS
DONALD G. AVERY
JOHN H. LE SEUR
KELVIN J. DOWD
ROBERT D. ROSENBERG
CHRISTOPHER A. MILLS
FRANK J. PERGOLIZZI
ANDREW B. KOLESAR III



202 347-7170

September 4, 1997

VIA HAND DELIVERY

The Honorable Linda J. Morgan
Chairman
Surface Transportation Board
1925 K Street, N.W., Room 711
Washington, DC 20423-0001

Dear Chairman Morgan:

We are writing to express our concern about certain statements that appear in the Board's Decision No. 18, served August 5, 1997, in 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. This Decision denied a petition filed by Potomac Electric Power Company, both in Finance Docket No. 33388 and in Docket No. 41989, Potomac Electric Power Company v. CSX Transportation, Inc., requesting authorization to use certain confidential and highly confidential information subject to the protective order in the Conrail control proceeding in the PEPCO complaint case.

PEPCO does not seek reconsideration or reopening of the Board's Decision No. 18. PEPCO filed its rebuttal evidence in the complaint case on August 11, 1997 and, in accordance with the Board's ruling, made no reference to any confidential or highly confidential material from the control proceeding.

Of particular concern to us are statements in the Decision to the effect that we may have violated the spirit, if not the letter, of the protective orders, engaged in gamesmanship, or failed to act with appropriate care. These statements appear to adopt suggestions made in the replies to PEPCO's petition to which we had no right to respond. We believe the statements are both factually inaccurate and unwarranted.

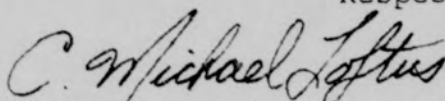
We wish for the Board to understand that in preparing PEPCO's petition, we took care to act in a manner we believe was proper and in full compliance with the protective orders in both cases. The petition was a good faith effort to obtain permission to make limited use of information from the control proceeding to

respond to arguments CSX presented in the complaint case. We sought to, and believe we did, comply with the protective orders in both cases through the use of redacted filings. Specifically, we redacted the confidential control case information from our complaint filing, and the confidential complaint case information from our control case filing. No protected information from either proceeding was filed in the other proceeding.

We want to assure the Board that the undersigned and the firm of Slover & Loftus are extremely aware of, and sensitive to, our obligations under the protective orders in these proceedings, as well as other proceedings before the Board in which we are involved. We will continue to observe these obligations with care and diligence.

We have delivered a copy of this letter to Secretary Williams, so that it may be placed in the public docket.

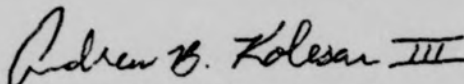
Respectfully,



C. Michael Loftus



Christopher A. Mills



Andrew B. Kolesar III

CML/CAM/ABK/raw

cc: The Honorable Gus A. Owen (via hand delivery)
✓ The Honorable Vernon A. Williams (via hand delivery)
G. Paul Moates, Esq. (via telecopier)
Dennis G. Lyons, Esq. (via telecopier)
Richard A. Allen, Esq. (via telecopier)
Paul A. Cunningham, Esq. (via telecopier)

STB

FD

33388

9-2-97

J.

PUBLIC

August 26, 1997

Surface Transportation Board

As a 3 Generation Railroad
Employee Family plus living in
Lakewood for 65 years I feel ~~we~~^{we}
MUST speak up.

Please Do NOT Allow the
Railroad to completely ruin four
suburbs of Cleveland (Lakewood,
Rocky River, Bay Village + ~~now~~ Lake).
The 'few' trains which have been
using it for the last few years
have been more than enough.
Fire Stations, schools, parks,
marketing, libraries are primarily
on one side of the tracks.

None of the tracks are
elevated. It is a dangerous
and impossible situation

Four good + Solid suburbs
will be ruined.

Barclay B. Winter
John C. Winter

From the desk of GERTRUDE SHEPARD


8-26-97

Federal Service Transportation

I am enclosing a copy of
a letter sent to Congressman
Dennis Kucinich, Lakewood,
Ohio.

Your concern as to its
contents would be greatly
appreciated.

Sincerely
Gertrude Shepard



8-28-97

COPY

Congressman Dennis Kucinich
14400 Detroit Rd
Lakewood, Ohio 44107

Reference: Federal Service Transportation Doc. FD 3.3388

Dear Congressman,

As you know, there is a movement in progress to increase the number of R.R. Trains passing through Bay Village and other nearby cities from 13 to 38 trains a day.

I live in the Knickerbocker Apts along with over 180 other residences. We are about one block away from the ^{R.R.} crossing at Dover Center Rd.

The trains at present give off a loud blast at the crossing that wake us up during the night and disturb during the day.

The situation is an endurance test as it is without adding another 25 trains. It will drive us out. Anything you can do to stop this movement would be greatly appreciated by all the people along the R.R. Tracks.

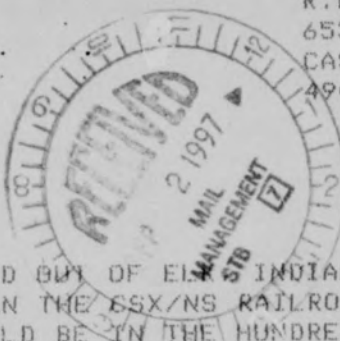
Sincerely

Gertrude Shepard

2700 KNICKERBOCKER
APT. 708
BAY VILLAGE, OHIO 44140

SURFACE TRANSPORTATION BOARD
1925 K. ST. N.W.
WASHINGTON, D.C. 20423

R.D.CHAMBERLAIN
65325 E.PENINSULA
CASSOPOLIS, MI
49031



M.S. LINDA J. MORGAN,

I WORK FOR CONRAIL RAILROAD OUT OF ELKHART INDIANA. I AM WRITING ABOUT THE PENDING MERGER OF THE CONRAIL AND THE CSX/NS RAILROADS. IF THIS MERGER IS ALLOWED TO HAPPEN, THE JOBS LOST WOULD BE IN THE HUNDREDS OF TAXPAYERS. WASHINGTON NEEDS MORE TAXPAYERS NOT LESS. THE SMALL TIME SHIPPERS WOULD SUFFER ALSO AND HAVE TO SWITCH TO TRUCKS. WE ALREADY HAVE TOO MANY TRUCKS TEARING UP OUR HIGHWAYS AND WE DON'T NEED ANY MORE.

THE RAILROAD HAS BEEN MY SOURCE OF INCOME FOR TWENTY FIVE YEARS, I HIRED OUT ON THE PENN CENTRAL R.R. IN THE DETROIT AREA. I HAD TO MOVE TO THE SOUTHWESTERN PART OF THE STATE OF MICH. TO CONTINUE MY CAREER, AND WE DON'T

/ lines 1-21 of 32 /

PF 1=Help 2=Exit 3=Return 4=Mail 5=Ledit 6=IDs 7=Back 8=Fwd 9=Options EMCC0100

SUFFER ALSO AND HAVE TO SWITCH TO TRUCKS. WE ALREADY HAVE TOO MANY TRUCKS TEARING UP OUR HIGHWAYS AND WE DON'T NEED ANY MORE.

THE RAILROAD HAS BEEN MY SOURCE OF INCOME FOR TWENTY FIVE YEARS, I HIRED OUT ON THE PENN CENTRAL R.R. IN THE DETROIT AREA. I HAD TO MOVE TO THE SOUTHWESTERN PART OF THE STATE OF MICH. TO CONTINUE MY CAREER, AND WE DON'T WISH ANYONE THE SAME PROBLEMS WE HAD WHEN WE HAD TO RELOCATE.

WE ON CONRAIL GAVE UP ALL OUR MONEY MAKING AGREEMENTS AND CREW SIZES TO MAKE THIS COMPANY A PROFITABLE RAILROAD, AND IT WAS THE TRANSPORTATION PEOPLE THAT MAKES OR BREAKS A RAILROAD. WE BELIEVE THAT THE GOVERNMENT SHOULD PROTECT THE WORKING PEOPLE OF THIS GREAT COUNTRY, AND VOTE AGAINST THE MERGER. LET CONRAIL BE CONRAIL, PLEASE HELP US SAVE OUR JOBS.

SINCERELY,

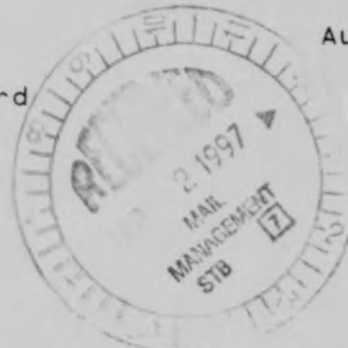
R.D.CHAMBERLAIN
ENGINEER

/ lines 17-37 of 37 /

PF 1=Help 2=Exit 3=Return 4=Mail 5=Ledit 6=IDs 7=Back 8=Fwd 9=Options EMCC0100

August 28, 1997

Federal Surface Transportation Board
Section of Environmental Analysis
1925 K St. NW
Washington DC 20423



RE: FD 33388

Dear Board:

As a homeowner living in Bay Village, Ohio, I am troubled by the recent announcement that there is a pending application which will triple the amount of trains using the tracks which separate Bay Village from Westlake.

Besides the obvious inconvenience which this will cause on normal vehicular traffic waiting for slow moving trains throughout the day and night, and the noise factor which this will impose on all homes near the tracks, I am concerned about a far more critical problem. I am an insulin-dependent diabetic. Although I am in relatively good health at the present time, if my body takes a turn for the worse and I require emergency medical treatment for my diabetes, I am very concerned about the possible delays in reaching the hospitals which serve our area.

There are no hospitals or emergency medical treatment centers in Bay Village. The nearest ones are all on the "other side of the tracks". Slow-moving (or sometimes stopped) trains will cause delays in reaching needed medical treatment centers or for an ambulance to arrive at my home. Time is very critical in medical need situations and the chance that a train will be blocking the road will increase by 200%.


I urge you to DENY any increase in train traffic through our area. I assure you almost NO ONE living in the cities of Bay Village, Westlake, Avon, Avon Lake, Rocky River or Lakewood is for this change. Think of the safety and welfare of the people living here who must bear the negative aspects which this change will have on our lives.

Very truly yours,

Terry Bennett

Terry Bennett
26306 Lake Rd.
Bay Village, Ohio 44145

Cheryl A. & Craig S. Foerstner
1260 Donald Avenue
Lakewood, Ohio 44107
(216)529-9167



Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N. W.
Washington, D. C. 20423

RE: Norfolk Southern's proposal to increase rail traffic

To Whom It May Concern:

This letter is to inform you of our concerns surrounding the proposed increase in train traffic by Norfolk Southern through the western suburbs of Cleveland Ohio.

We live in the community of Lakewood, Ohio. The NS line runs through the Cleveland suburbs of Bay Village, Rocky River, Westlake, and Lakewood. Each of these communities are primarily residential and heavily populated with homes. The rail tracks literally run through many many neighborhoods. For those who live to the north of the NS rail line, as we do, crossing the tracks many times daily is common place because our neighborhoods are bordered to the North by Lake Erie.

Specifically the concerns we have with respect to the proposed tripling of the trains from approximately 12 to 30 in per day are as follows:

1. Our access to emergency services where time is critical. The services are south. The one and only road that allows access under the tracks at the western edge of Lakewood is nowhere near the closest hospital. Delaying emergency access 30 times a day is too risky. Further, the times where the trains simply stop in or crawl through our neighborhoods causes unsettling risk to the residents of these communities.
2. The noise pollution that the trains create in the neighborhoods is tremendous. There are zoning laws for airports and highways. Why should we allow freight trains to ramble through our neighborhoods (in many instances the tracks are closer to the homes than the city streets!!) creating noise so loud that you cannot hear the person next to you - 30 times a day.
3. The safety issue would be tripled.
 - Already we have accidents and fatalities involving freight trains. But now, we are tripling the risk which will inevitably increase the injuries and deaths.
 - What are these trains carrying? Toxic substances, flammable substances, or worse? What types of health risks or catastrophes are we, the citizens of these communities, being exposed to in the event of an accident or derailment?

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N. W.
Washington, D. C. 20423

August 21, 1997

Page 2

In conclusion, in 1997, it no longer makes sense to have freight trains running this line. The residential population in all the communities affected is too large to permit this mode of transportation to continue. The risks are too high and there are too many people being affected. Please consider all of these issues and to what you will be exposing the residents in these communities. NS must have suitable alternatives, just a few months before this announcement, they announced plans to abandon the line when this purchase took place. That would be fine with us.

Thank you for your consideration and if you wish to discuss any of these issues with us, please contact us at the number above.

Sincerely,

Cheryl A. & Craig S. Foerstner

Robert Charles Daughenbaugh #A198-662
Allen Correctional Institution H4B
Post Office Box No. 4501
Lima, Ohio 45802-4501

August 22, 1997



Surface Transportation Board
1925 "K" Street., N.W.,
Washington, DC 20423

SUBJECT: Proposed Sale of Con-Rail To NS & CSX R.R.'S.

DEAR BOARD:

I was unlawfully terminated from employment as a Locomotive Engineer by Con-Rail in 1987 and received official notice of termination in 1988.

I started out as a fireman on July 25, 1955 in the PRR YARDS (Sandusky, OH) and was promoted in 1956 to (Yard Limits Engineer) and in 1964, I was promoted to Road Engineer and my Home Terminal was Toledo Union Terminal (Stanley Yard).

Once I am released from prison, I plan to regain my full seniority as number one man on the seniority list for the Toledo, Ohio area.

Please serve copies of this notification of intent upon all prospective buyers' of Con-Rail.

Kindly reply in the affirmative to this correspondence at your earliest convenience.

Very truly yours,

Robert C Daughenbaugh

Robert Charles Daughenbaugh, Engineer #269891

cc: R/C/D/file

SWORN To And Subscribed before me, a Notary Public In Allen
County this day of August 25, 1997.

Charles H. Huffman
NOTARY PUBLIC
CHARLES H. HUFFMAN
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires April 1, 1999

STB

FD

33388

9-2-97

J

BUSINESS



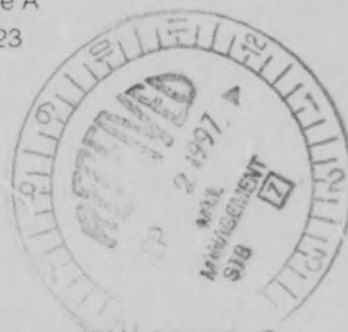
Michigan Agri-Business Association

1501 North Shore Drive, Suite A
East Lansing, Michigan 48823

Telephone (517) 336-C223

Fax (517) 336-0227

August 26, 1997



Vernon A. Williams, Secretary
Surface Transportation Board
12th and Constitution Avenue, N.W.
Washington, D.C. 20423

RE: Acquisition of Conrail by CSX and Norfolk Southern

Dear Secretary Williams:

The joint acquisition of Conrail by CSX and Norfolk Southern is good for Michigan, and I am writing to express my support for this agreement.

CSX already serves as a critical link delivering raw materials to Michigan industries which supply finished products to the rest of the nation and the world. Automotive, agricultural, metals, minerals, chemicals and furniture are among the major commodities which rely on dependable rail transportation, to and from Michigan. The joint CSX - NS acquisition will enhance the ability of Michigan job providers to have better rail service options at competitive rates.

The Michigan economy will be strengthened by the competition of two strong, balanced and highly regarded railroads. I urge the Surface Transportation Board to approve the joint acquisition of Conrail assets by CSX and Norfolk Southern.

Sincerely,

James E. Byrum, President

JEB:cs



EQUIPMENT FOR THE PROCESS INDUSTRIES

• ~~14237 Detroit Avenue~~
Cleveland, Ohio 44107
~~Phone (216) 255-5770~~

August 26, 1997

Ref. # FD -#33388

Surface Transportation Board

1925 K St. N.W.
Washington, D. C. 20423

Gentlemen:



Regarding Norfolk Southern railroad crossings in Lakewood, Ohio, and associated whistle noise, I propose a study be made to investigate feasibility of lowering track so that grades could be separated. Only two of these crossings involve through streets. The rest could be dead-ended at the tracks. Speed of trains could

be doubled. The cities of Lakewood, Cleveland, Rocky River, and Lorain could be involved. Property values would escalate materially.

The right-of-way for another track still exists due to recent abandonment. This could be used by Cleveland Transit System for suburban rail operations now in existence, eliminating buses and cutting operating costs. Most bridges, including Rocky River, are available for additional track.

Sincerely

A handwritten signature in cursive script that reads 'J. A. Casper'. Below the signature, the name 'J. A. Casper' is printed in a small, sans-serif font.

14300 Detroit Ave. # 421
Lakewood, OH # 44107

STB

FD

33388

8-29-97

J

CITIES



City of Chicago
Richard M. Daley, Mayor

Department of
Streets and Sanitation

Eileen Carey
Commissioner

City Hall, Room 700
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4611
(312) 744-5317 (FAX)
(312) 744-2971 (TTY)

<http://www.ci.chi.il.us>

MEMORANDUM

TO: COMMISSIONER CHRIS HILL

ATTN: DEPUTY COMMISSIONER CHRISTINE SLATTERY

FROM: EILEEN CAREY

DATE: AUGUST 26, 1997

RE: PROPOSAL TO THE CHICAGO PLAN COMMISSION



Project: Manufacturing Planned Development
Location: CONRAIL Railroad Yard bounded by:
West 55th Street-West 63rd Street
South Oakley Avenue - South Hoyne Avenue
Net Site Area: 83.67 Acres

The United States Surface Transportation Board is currently reviewing the proposed division of the Consolidated Railroad Corporation (Conrail) between the CSX Corporation (Chessie Systems Railroads) and the Norfolk Southern Railroad, as STB Docket #33388.

On August 3, 1997, the Department of Streets and Sanitation responded to the Board by letter asking six questions of the applicants (copy attached). This proposed re-zoning of the Conrail yards could have a material effect upon how rail traffic will be routed through the City.

Until the CSX Corporation has formulated and submitted answers to questions 1-4 of our letter, we cannot fully evaluate the impact of either this application or STB Docket 33388. Therefore, at this time we cannot approve this application.

Secondly, there is the matter of rodent infestation of the Conrail rail yard. As with most railroads, rats have immigrated on the arriving trains and thrived on the spillage of food and grain shipments. We now have a major colony which could disperse into the surrounding City as the old rail yard is dug up. We also need to know the types and volumes of food shipments projected through the new facility, and what steps will be taken by the railroad to control the rodent population.

Responses from the applicant on the foregoing should be directed to Annette Bitoy, Deputy Commissioner, Bureau of Rodent Control, 510 North Peshtigo Court, Chicago, Illinois, 60611. The Bureau of Rodent Control will advise and assist the railroad and its contractors.

NEIGHBORHOODS



Memorandum
August 26, 1997
Page two

The Department of Streets and Sanitation also asks the railroad, if in the design of the proposed freight facility, it could include a lead and associated bulk freight off loading equipment to allow for the expedited delivery of road salt to our new salt storage dome near West 52nd Street and South Oakley Avenue. Please do not hesitate to contact Coordinating Engineer, Samuel D. Polenetzky, P.E., at 312/744-5974.

SDP:spd:apb
Attachments (STB 33388 & Response)

cc:

Administrative Law Judge Jacob Leventhal
Federal Energy Regulatory Commission
888 First Street NE, Suite 11F
Washington, D.C. 20426

SURFACE TRANSPORTATION
BOARD OF THE USA
Office of the Secretary
Case Control Unit (Docket STB 33388)
1925 K Street NW
Washington, D.C. 20423-0001

Dennis G. Lyons, Esq.
Arnold & Porter
555 12th Street NW
Washington, D.C. 2004-1202

Richard A. Allen, Esquire
Zuckert, Scott & Rasenberger LLP
888 17th Street NW, Suite 600
Washington, D.C. 2006-3939

Paul A. Cunningham, Esq.
Harkins Cunningham
1300 19th Street NW - Suite 600
Washington, D.C. 20036

Bernard Morris
Chief Railroad Engineer
Illinois Commerce Commission
527 Capitol Avenue
Springfield, Illinois 62706

Dave Ochal, First Deputy Commissioner, Department of Streets and Sanitation

James Heffernan, Deputy Commissioner Bureau of Rodent Control

John Donovan, General Superintendent, E.W. & C.

Annette Bitoy, Deputy Commissioner Bureau of Rodent Control

Anne Kent, J.D., Assistant Commissioner Code Enforcement Task Force



City of Chicago
Richard M. Daley, Mayor

Department of Planning
and Development

Christopher R. Hill
Commissioner

City Hall, Room 1000
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4471 (Voice)
(312) 744-6550 (FAX)
(312) 744-2578 (TTY)

<http://www.ci.chi.il.us>

MEMORANDUM

TO: City Departments and Agencies

FROM:

Christine K. Slattery / me
Christine K. Slattery
Deputy Commissioner

DATE: August 7, 1997

RE: Proposed Manufacturing Planned Development

Transmitted herewith is a copy of the proposed Manufacturing Planned Development application for the property generally located at the unimproved rail yard between West 56th Street and West 63rd Street and South Oakley and South Hoyne Avenues.

The Applicant proposes to construct an intermodal facility which involves the movement of standardized containers through a combination of rail and roadways.

This matter is tentatively scheduled to be considered by the Chicago Plan Commission at its September 11, 1997, hearing, provided all information is provided with adequate time for review and response.

Kindly send your comments to the attention of Phil Levin at 744-4182 of my staff by September 1, 1997, so that they may be used for inclusion in the report and recommendation the Department is required to make to the Commission. Your prompt response is appreciated.

Enclosure



Please
Recycle!



8/12/97
Dave O.
Tiller
Doc #3084

RECEIVED

JUN 6 1997
CITY OF CHICAGO
DEPARTMENT OF ZONING

CITY OF CHICAGO

Preliminary
1997

12135

INTRO DATE: 7-30-97

APPLICATION
FOR

AN AMENDMENT TO THE ZONING ORDINANCE

This application must be typewritten and filed in quadruplicate. You will be advised of the date of the public hearing.

1. Applicant CSX Intermodal, Inc. ME
*Applicant's Attorney
Phone (312) 902-5249

Address 301 W. Bay Street, Jacksonville, Florida 32202 Zone M1-1/M1-2/M2-2

2. Owner or Lessee Consolidated Rail Corporation *Applicant's Attorney
(Circle One) Phone (312) 902-5249

3. What is the address of the property in which the applicant has an interest?

Address Unimproved rail yard between Garfield Blvd. and 63rd Street and Oakley
and Hoyne Avenues

4. The present owner acquired legal title to the subject area on Applicant will be acquiring title shortly
(date)

5. Boundaries of subject area. See Exhibit A attached hereto and incorporated herein

6. Present Zoning M1-1 and M1-2 Restricted Manufacturing Districts and M2-2
General Manufacturing District.

7. Proposed zoning change M3-2 Heavy Manufacturing District to MPD

8. Has the present owner previously rezoned this property? No

When? _____

9. Is subject property to be improved? If so, how and when? Intermodal facility

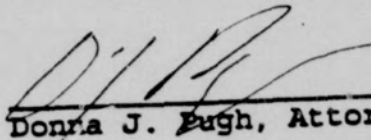
10. What will be the actual use of the improvement? The movement of standardized containers
through a combination of rail and highway.

11. Is off-street parking being provided? Yes

(Over)

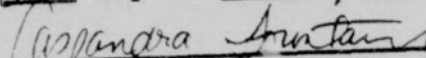
County of Cook)
) SS.
State of Illinois)

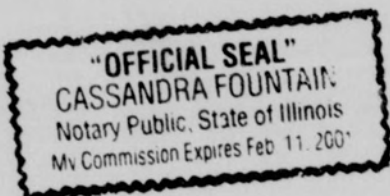
The undersigned, Donna J. Pugh, attorney for CSX International, Inc., a Delaware corporation, being first duly sworn, on oath deposes and says, that all of the above statements and the statements contained in the documents submitted herewith are true.


Donna J. Pugh, Attorney for

CSX International, Inc., a
Delaware corporation

Subscribed and sworn to before me this
28 day of July, 1997


Notary Public



INTRODUCED BY: _____ Date _____

REFERRED TO:

FILE NO. _____ COMMITTEE ON BUILDINGS & ZONING _____

WARD NO. _____ REZONING STAFF _____

CHICAGO PLAN COMMISSION _____

EXHIBIT A

That part of the Consolidated Rail Corporation (formerly The Philadelphia, Baltimore and Washington Railroad Company) right of way lying in the West Half of Section 18 and in the Northwest Quarter of Section 19, all in Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Beginning at a point of intersection of the north line of Lot 1 in Block 5 in Garfield Avenue Subdivision (being also the southerly right of way line of West 56th Street) extended Westerly, with the easterly line of the Consolidated Rail Corporation right of way (formerly the Englewood Connecting Railway Company); thence Southerly along the said easterly right of way line, being 200 feet, more or less, normally distant East and parallel with the west line of the East Half of the Northwest Quarter of said Section 18 to a point 1694.8 feet, more or less, South of the north line of the Northwest Quarter of said Section 18, said point being the northwest corner of a parcel of land conveyed by Warranty Deed recorded March 5, 1932 as document 11055397; thence Southeasterly along the northeasterly line of said document 11055397 a distance of 181.468 feet, more or less, to a point 257.85 feet, more or less, normally distant East of the west line of the East Half of the Northwest Quarter of said Section 18; thence continuing Southeasterly along the northeasterly line of said document 11055397 a distance of 135.157 feet, more or less, to a point 1986.8 feet, more or less, South of the north line and 319.17 feet, more or less, normally distant East of the west line the East Half of the Northwest Quarter of said Section 18 (said point being 20 feet, more or less, East of and 24.06 feet, more or less, South of the intersection of the west line of South Hamilton Avenue and the north line of West 58th Street according to Dewey's Subdivision); thence Easterly along a line parallel with the north line of the Northwest Quarter of said Section 18 a distance of 170.83 feet, more or less, to a point of intersection with the west line of an alley lying 16 feet West of the west line of Block 13 in Dewey's Subdivision, extended Northerly; thence Southerly along the west line of said alley to a point of intersection with the south line of Block 13 in Dewey's Subdivision, extended Westerly; thence Easterly along the said extension of the south line Block 13 a distance of 16 feet, more or less, to the southwest corner of Lot 10 in Block 13 in Dewey's Subdivision; thence continuing Easterly along the south line of Lot 10 in said Block 13 a distance of 125.1 feet, more or less, to the southeast corner of Lot 10 in Block 13, being also a point on the west line of South Hoyne Avenue; thence Southerly along the west line of South Hoyne Avenue, being also a Southerly extension of the east line of said Block 13 a distance of 66 feet, more or less, to the northeast corner of Lot 1 in Block 18 in Dewey's Subdivision; thence continuing Southerly along the east line of Lots 1 through 6, inclusive, in Block 18 and the Southerly extension thereof, being also the west line of South Hoyne Avenue, a distance of 167.0 feet, more or less, to the northeast corner of Lot 7 in said Block 18; thence Westerly along the north line of Lots 7 and 8 in Block 18 a distance of 69.97 feet, more or less, to the northeast corner of Lot 9 in said Block 18; thence Southerly

along the east line of Lot 9 in said Block 18 a distance of 123.0 feet, more or less, to the southeast corner of Lot 9, being also a point on the north line of West 58th Street; thence Southerly along the Southerly extension of the east line of said Lot 9 a distance of 66 feet, more or less, to a point of intersection with the south line of West 59th Street, said point being 33 feet, more or less, normally distant South of the north line of the Southwest Quarter of said Section 18; thence Easterly along the south line of West 59th Street, being 33 feet, more or less, normally distant South and parallel with the north line of the Southwest Quarter of said Section 18 to a point 124.77 feet, more or less, (as measured along the north line of the Southwest Quarter of said Section 18) Easterly of a point of intersection with the east line of South Hoyne Avenue, extended Southerly; thence Southerly along a line lying 124.69 feet, more or less, Easterly of the east line of South Hoyne Avenue extended Northerly, to a point of intersection with the centerline of West 61st Street, to the most northerly point of a parcel of land designated as Parcel No. IL B10h 08-6 and recorded as document number 25027856; thence Southwesterly along the westerly line of said Parcel No. IL B10h 08-6, being 15 feet radially distant Southeasterly and concentric with the centerline of Track No. 24 of The Philadelphia, Baltimore and Washington Railroad Company, as it was located on November 28, 1975, a distance of 435 feet, more or less, to the southwest corner of Parcel No. IL B10h 08-6; thence Southerly along the west line of South Hoyne Avenue to a point 830 feet, more or less, North of the point of intersection with the north line of the first alley North of West 63rd Street, being also the most northerly point of a parcel of land designated as Parcel No. ILB 10h 07-4 and recorded as document number 25027856; thence Southwesterly along the westerly line of said Parcel No. ILB 10h 07-4 a distance of 875 feet, more or less, to the southwest corner of Parcel No. ILB 10h 07-4, said point being 275 feet, more or less, West of the intersection of the north line of the first alley North of West 63rd Street with the west line of South Hoyne Avenue, being a point on the east line of South Hamilton Avenue according to said document; thence Westerly along the Westerly extension of the said north line of the first alley North of West 63rd Street to a point 25 feet, more or less, normally distant East of the west line of vacated South Hamilton Avenue; thence Southerly along a line 25 feet, more or less, normally distant East and parallel with the said west line of vacated South Hamilton Avenue a distance of 141 feet, more or less, to a point of intersection with the north line of West 63rd Street, extended Easterly; thence Westerly along the said extended north line of West 63rd Street and along the north line of West 63rd Street a distance of 85 feet, more or less; thence Southwesterly 85.7 feet, more or less, to a point 81.4 feet, more or less, Westerly of the west line of South Hamilton Avenue, as measured along the south line of West 63rd Street; thence Westerly along the south line of West 63rd Street to the west right of way line of the Consolidated Rail Corporation, said point being 50 feet normally distant West of the original centerline of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company right of way; thence Northerly along the said west right of way line of

the Consolidated Rail Corporation, being 30 feet normally distant West and parallel with the said original centerline of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company right of way a distance of 83 feet, more or less to the north line of West 63rd Street; thence Westerly along the north line of West 63rd Street a distance of 35 feet, more or less, to a point 50 feet, more or less, normally distant Easterly of the westerly line of the Consolidated Rail Corporation right of way; thence Northerly along a line 50 feet, more or less, normally distant Easterly and parallel with the westerly line of the Consolidated Rail Corporation right of way a distance of 597 feet, more or less to a point on a 1697.42 foot, more or less, radius curve; thence Northerly along said 1697.42 foot, more or less, radius curve, concave Northeasterly and 50 feet, more or less, radially distant Easterly and concentric with the westerly line of the Consolidated Rail Corporation right of way a distance of 360 feet, more or less; thence Northerly along a line 50 feet, more or less, normally distant Easterly and parallel with the west line of the Consolidated Rail Corporation right of way a distance of 3044 feet, more or less, to a point on a 2456.31 foot, more or less, radius curve; thence Northerly along said 2456.31 foot, more or less, radius curve, concave Easterly and 50 feet, more or less, radially distant Easterly and concentric with the west line of the Consolidated Rail Corporation right of way a distance of 707 feet, more or less; thence Northerly along a line 50 feet, more or less, normally distant Easterly and parallel with the west line of the Consolidated Rail Corporation right of way a distance 4 feet, more or less to a point 60 feet, more or less, normally distant North of the north line of West 56th Street, extended Westerly; thence Easterly along a line 60 feet, more or less, normally distant North and parallel with the north line of West 56th Street, extended Westerly a distance of 419 feet, more or less, to a point 200 feet, more or less, normally distant East of the west line of the East Half of the Northwest Quarter of said Section 18, being also a point on the easterly line of the Consolidated Rail Corporation right of way (formerly the Englewood Connecting Railway Company); thence Southerly along the said easterly line of the Consolidated Rail Corporation right of way (formerly the Englewood Connecting Railway Company), being 200 feet, more or less, normally distant East and parallel with the west line of the East Half of the Northwest Quarter of said Section 18 a distance of 126 feet, more or less, to the point of beginning.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all M1-1 and M1-2 Restricted Manufacturing District and M2-2 General Manufacturing District symbols and indications as shown on Map No. 14-H in area bounded by:

See attached Legal Description and Zoning Map

to those of an M3-2 Heavy Manufacturing District, and a corresponding use district is hereby established in the area above described.

SECTION 2. That the Chicago Zoning Ordinance be further amended by changing all the M3-2 Heavy Manufacturing District symbols and indications in the area bounded by:

See attached Legal Description and Zoning Map

to the designation of a Manufacturing Planned Development and corresponding use districts are hereby established in the above area described, subject to such use and bulk regulations as are set forth in the Plan of Development herewith attached and made a part thereof and to no others.

SECTION 3. This ordinance shall be in force and effect from and after its passage and due publication.

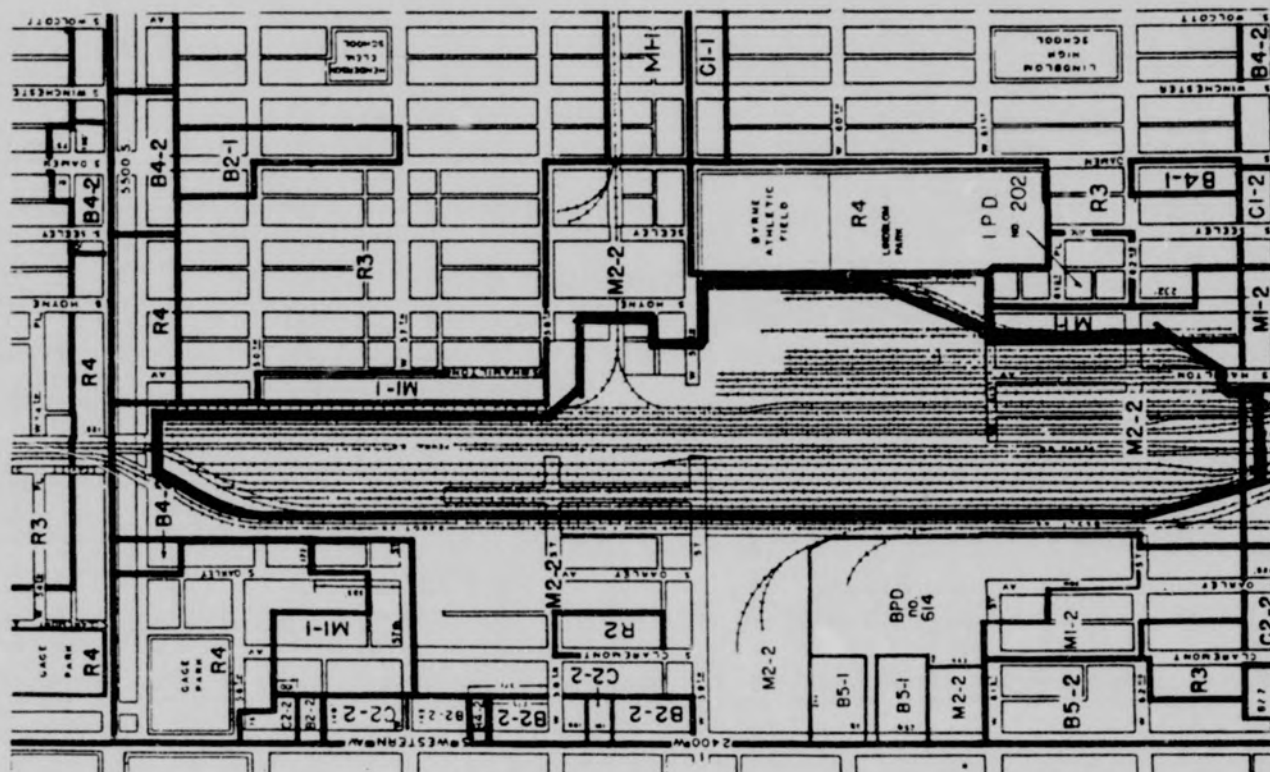
Plan of Development attached to this ordinance reads as follows:

That part of the Consolidated Rail Corporation (formerly The Philadelphia, Baltimore and Washington Railroad Company) right of way lying in the West Half of Section 18 and in the Northwest Quarter of Section 19, all in Township 38 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

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along the east line of Lot 9 in said Block 18 a distance of 123.0 feet, more or less, to the southeast corner of Lot 9, being also a point on the north line of West 59th Street; thence Southerly along the Southerly extension of the east line of said Lot 9 a distance of 66 feet, more or less, to a point of intersection with the south line of West 59th Street, said point being 33 feet, more or less, normally distant South of the north line of the Southwest Quarter of said Section 18; thence Easterly along the south line of West 59th Street, being 33 feet, more or less, normally distant South and parallel with the north line of the Southwest Quarter of said Section 18 to a point 124.77 feet, more or less, (as measured along the north line of the Southwest Quarter of said Section 18) Easterly of a point of intersection with the east line of South Hoyne Avenue, extended Southerly; thence Southerly along a line lying 124.69 feet, more or less, Easterly of the east line of South Hoyne Avenue extended Northerly, to a point of intersection with the centerline of West 61st Street, to the most northerly point of a parcel of land designated as Parcel No. IL B10h 08-6 and recorded as document number 25027856; thence Southwesterly along the westerly line of said Parcel No. IL B10h 08-6, being 15 feet radially distant Southeasterly and concentric with the centerline of Track No. 24 of The Philadelphia, Baltimore and Washington Railroad Company, as it was located on November 28, 1975, a distance of 435 feet, more or less, to the southwest corner of Parcel No. IL B10h 08-6; thence Southerly along the west line of South Hoyne Avenue to a point 830 feet, more or less, North of the point of intersection with the north line of the first alley North of West 63rd Street, being also the most northerly point of a parcel of land designated as Parcel No. ILB 10h 07-4 and recorded as document number 25027856; thence Southwesterly along the westerly line of said Parcel No. ILB 10h 07-4 a distance of 875 feet, more or less, to the southwest corner of Parcel No. ILB 10h 07-4, said point being 275 feet, more or less, West of the intersection of the north line of the first alley North of West 63rd Street with the west line of South Hoyne Avenue, being a point on the east line of South Hamilton Avenue according to said document; thence Westerly along the Westerly extension of the said north line of the first alley North of West 63rd Street to a point 25 feet, more or less, normally distant East of the west line of vacated South Hamilton Avenue; thence Southerly along a line 25 feet, more or less, normally distant East and parallel with the said west line of vacated South Hamilton Avenue a distance of 141 feet, more or less, to a point of intersection with the north line of West 63rd Street, extended Easterly; thence Westerly along the said extended north line of West 63rd Street and along the north line of West 63rd Street a distance of 85 feet, more or less; thence Southwesterly 85.7 feet, more or less, to a point 81.4 feet, more or less, Westerly of the west line of South Hamilton Avenue, as measured along the south line of West 63rd Street; thence Westerly along the south line of West 63rd Street to the west right of way line of the Consolidated Rail Corporation, said point being 50 feet normally distant West of the original centerline of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company right of way; thence Northerly along the said west right of way line of

the Consolidated Rail Corporation, being 50 feet normally distant West and parallel with the said original centerline of the Pittsburgh, Cincinnati, Chicago and St. Louis Railway Company right of way a distance of 43 feet, more or less to the north line of West 63rd Street; thence Westerly along the north line of West 63rd Street a distance of 35 feet, more or less, to a point 50 feet, more or less, normally distant Easterly of the westerly line of the Consolidated Rail Corporation right of way; thence Northerly along a line 50 feet, more or less, normally distant Easterly and parallel with the westerly line of the Consolidated Rail Corporation right of way a distance of 597 feet, more or less to a point on a 1697.42 foot, more or less, radius curve; thence Northerly along said 1697.42 foot, more or less, radius curve, concave Northeasterly and 50 feet, more or less, radially distant Easterly and concentric with the westerly line of the Consolidated Rail Corporation right of way a distance of 360 feet, more or less; thence Northerly along a line 50 feet, more or less, normally distant Easterly and parallel with the west line of the Consolidated Rail Corporation right of way a distance of 3044 feet, more or less, to a point on a 2456.31 foot, more or less, radius curve; thence Northerly along said 2456.31 foot, more or less, radius curve, concave Easterly and 50 feet, more or less, radially distant Easterly and concentric with the west line of the Consolidated Rail Corporation right of way a distance of 707 feet, more or less; thence Northerly along a line 50 feet, more or less, normally distant Easterly and parallel with the west line of the Consolidated Rail Corporation right of way a distance 4 feet, more or less to a point 60 feet, more or less, normally distant North of the north line of West 56th Street, extended Westerly; thence Easterly along a line 60 feet, more or less, normally distant North and parallel with the north line of West 56th Street, extended Westerly a distance of 419 feet, more or less, to a point 200 feet, more or less, normally distant East of the west line of the East Half of the Northwest Quarter of said Section 18, being also a point on the easterly line of the Consolidated Rail Corporation right of way (formerly the Englewood Connecting Railway Company); thence Southerly along the said easterly line of the Consolidated Rail Corporation right of way (formerly the Englewood Connecting Railway Company), being 200 feet, more or less, normally distant East and parallel with the west line of the East Half of the Northwest Quarter of said Section 18 a distance of 126 feet, more or less, to the point of beginning.



MANUFACTURING PLANNED DEVELOPMENT
PLAN OF DEVELOPMENT STATEMENTS

1. The area delineated herein as manufacturing planned development (the "Planned Development") consists of approximately 3,673,764.20 square feet (approximately 84.34 acres) of real property which is depicted on the attached Property Line Map (the "Property"). The Applicant, CSX Intermodal, Inc., a Delaware corporation (the "Applicant"), is in the process of acquiring the subject property through a merger with the current owner, Consolidated Rail Corporation, a Pennsylvania corporation. The Property is controlled by the Applicant.
2. All applicable official reviews, approvals or permits required in connection with this Planned Development shall be obtained by the Applicant or its successors, assignees, or grantees. Any dedication or vacation of streets, alleys or easements or any adjustment of rights-of-way, or consolidation or resubdivision of parcels shall require a separate submittal on behalf of the Applicant and approval by the City Council.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, or its successors and assigns and, if different than the Applicant, the legal title holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time of applications for amendments, modifications or changes (administrative, legislative, or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise), shall be made or authorized by all the owners of the Property and any ground lessors.

4. This Planned Development consists of these fourteen (14) Statements, a Bulk Regulations and Data Table, Generalized Land Use Plan, an Existing Zoning & Street System Map, an Existing Land Use Area Map, and Property Line Map & Right of Way Adjustment Map. The Planned Development is applicable to the area delineated herein and these and no other controls shall apply. The Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a manufacturing planned development.
5. The permitted uses in the Planned Development are all uses allowed as permitted and special uses in the M3-2 Heavy Manufacturing District on the date of this Planned Development Ordinance, including, but not limited to, an intermodal facility, railroad and water freight terminals, railroad switching and classification yards, repair shops and roundhouses.
6. Identification and other necessary signs shall be permitted within the Planned Development, subject to the review and approval of the Department of Planning and Development. Temporary signs, such as construction and marketing signs, shall be permitted, subject to the review and approval of the Department of Planning and Development.
7. Off-street parking and loading facilities shall be provided in compliance with this Planned Development, subject to the review and approval of the Departments of Transportation and Planning and Development.
8. Any service drive or other ingress or egress shall be adequately designed and paved in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Ingress and egress shall be subject to the review and approval of the Department of Transportation and the Department of Planning and Development.

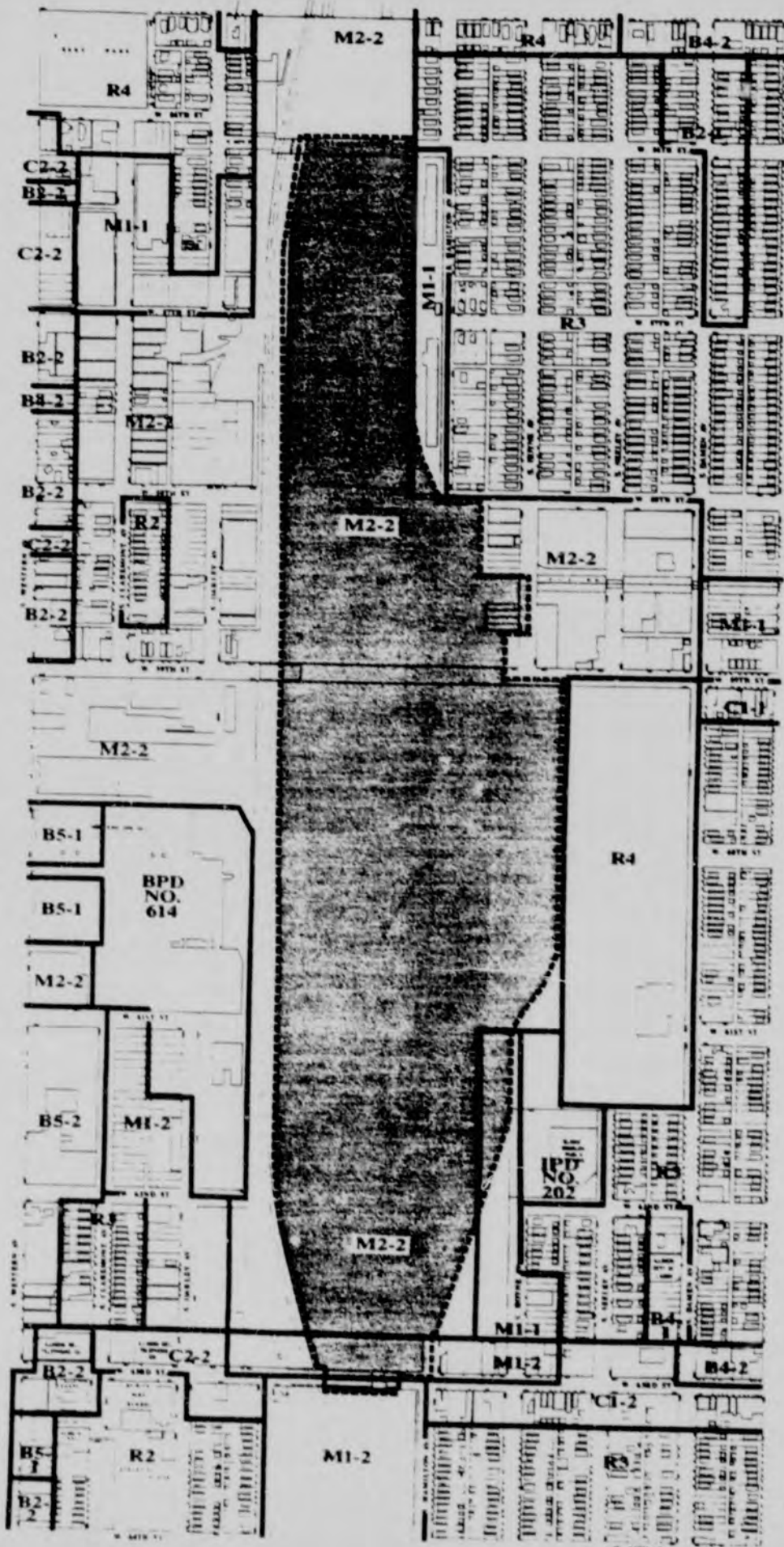
9. The height restriction of any building or any appurtenance attached thereto shall, in addition to the Building Elevations and the Bulk Regulations and Data Table, be subject to limitations approved by the Federal Aviation Administration.
10. For purposes of maximum Floor Area Ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply.
11. This Planned Development shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Development Amendments" as promulgated by the Commissioner of the Department of Planning and Development and in effect on the date hereof.
12. Improvements on the Property, including landscaping and all entrances and exits, shall be designed and installed in substantial conformance with the Bulk Regulations and Data Table, attached hereto and made a part hereof.
13. The terms, conditions and exhibits of this Planned Development Ordinance may be modified administratively by the Commissioner of the Department of Planning and Development upon the request of the Applicant and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated in this Planned Development Ordinance. Any such modification shall be deemed to be a minor change in the Planned Development Ordinance as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance.
14. Unless substantial construction of the proposed intermodal facility has commenced within ten (10) years of the adoption of this Planned Development and is thereafter diligently pursued, then this Planned Development shall expire. If this Planned Development expires under the provisions of this section, then the zoning of the Property shall revert to M3-2 Heavy Manufacturing District.

MANUFACTURING PLANNED DEVELOPMENT
BULK REGULATIONS AND DATA TABLE

1. Net Site Area: 3,644,539.7 square feet; approximately 83.67 acres.
2. Gross Site Area: 3,673,764.2 square feet; approximately 84.34 acres [Gross Site Area = Net Site Area plus area in public right-of-way]
3. Uses: As set forth in Statement No. 5
4. Maximum Floor Area Ratio: 2.2
5. Minimum Number of Off-Street Parking Spaces: 35
6. Minimum Number of Off-Street Loading Spaces: 0
7. Maximum Building Height: 25'

■ DOCUMENT #: CHGO01A (22993-00004-5) 289884.1; DATE: 07/25/97/TIME: 18:46 ■

APPLICANT:	CSX Intermodal, Inc.
ADDRESS:	301 W. Bay Street, Jacksonville, Florida 32202
DATE:	July 28, 1997
REVISED:	_____



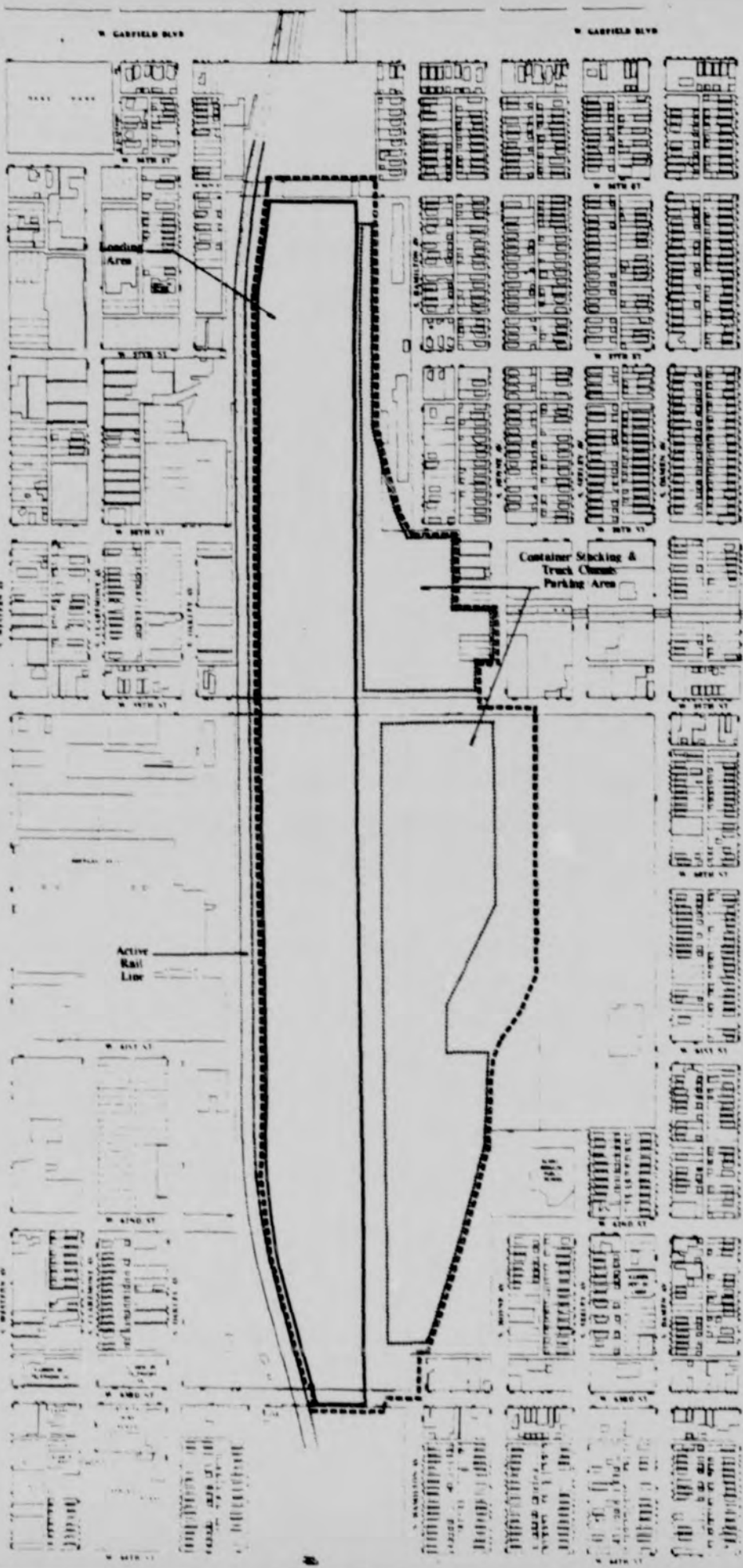
EXISTING ZONING & STREET SYSTEM

Legend	Symbol	Description
1	[Symbol]	Single-Family Detached
2	[Symbol]	Single-Family Attached
3	[Symbol]	Two-Family Detached
4	[Symbol]	Two-Family Attached
5	[Symbol]	Three-Family Detached
6	[Symbol]	Three-Family Attached
7	[Symbol]	Four-Family Detached
8	[Symbol]	Four-Family Attached
9	[Symbol]	Five-Family Detached
10	[Symbol]	Five-Family Attached
11	[Symbol]	Six-Family Detached
12	[Symbol]	Six-Family Attached
13	[Symbol]	Seven-Family Detached
14	[Symbol]	Seven-Family Attached
15	[Symbol]	Eight-Family Detached
16	[Symbol]	Eight-Family Attached
17	[Symbol]	Nine-Family Detached
18	[Symbol]	Nine-Family Attached
19	[Symbol]	Ten-Family Detached
20	[Symbol]	Ten-Family Attached
21	[Symbol]	Eleven-Family Detached
22	[Symbol]	Eleven-Family Attached
23	[Symbol]	Twelve-Family Detached
24	[Symbol]	Twelve-Family Attached
25	[Symbol]	Thirteen-Family Detached
26	[Symbol]	Thirteen-Family Attached
27	[Symbol]	Fourteen-Family Detached
28	[Symbol]	Fourteen-Family Attached
29	[Symbol]	Fifteen-Family Detached
30	[Symbol]	Fifteen-Family Attached
31	[Symbol]	Sixteen-Family Detached
32	[Symbol]	Sixteen-Family Attached
33	[Symbol]	Seventeen-Family Detached
34	[Symbol]	Seventeen-Family Attached
35	[Symbol]	Eighteen-Family Detached
36	[Symbol]	Eighteen-Family Attached
37	[Symbol]	Nineteen-Family Detached
38	[Symbol]	Nineteen-Family Attached
39	[Symbol]	Twenty-Family Detached
40	[Symbol]	Twenty-Family Attached

CSX
COMMERCIAL

1:10,000

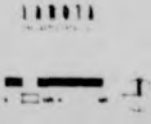
1:10,000



GENERALIZED LAND USE PLAN

- LEGEND**
- PLANNED DEVELOPMENT CORRIDOR
 - ACTIVE RAIL LINE
 - FOR BETTER AREA WITHIN THE PLANNED DEVELOPMENT CORRIDOR IS AN INTERMODAL FACILITY (STATION) IN THE INTERMODAL FACILITY AREA
 - LOADING AREA
 - CONTAINER STACKING & TRUCK CHECK PARKING

CSX
INTERMODAL




LEUNG

PLANNED DEVELOPMENT
NUMBER 4

STIMULATED SOLID WASTE (SW) (100% OF SW)

CSX
INTERNATIONAL

14807



888 100



City of Chicago
Richard M. Daley, Mayor

Department of
Streets and Sanitation

Eileen Carey
Commissioner

City Hall, Room 700
121 North LaSalle Street
Chicago, Illinois 60602
(312) 744-4611
(312) 744-5317 (FAX)
(312) 744-2971 (TTY)

<http://www.ci.chi.il.us>

03 August 1997

SURFACE TRANSPORTATION BOARD of
THE UNITED STATES OF AMERICA
Office of the Secretary
Case Control Unit
1925 K Street N.W.
Washington D.C. 20423-0001

Re: STB Finance Docket # 33388
CSX Transportation Corp.
Norfolk Southern Railway Corp.
proposal for control of:
Consolidated Railway (Conrail)

Members of the Board:

The Department of Streets & Sanitation of the City of Chicago, wishes to know from the applicants what effect the captioned docketed action should have on the public railroad crossings of the involved lines, within the City of Chicago, Illinois.

We specifically wish to know:

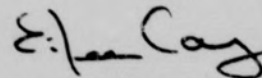
- 1) Can any at grade crossings be abandoned and if so who will pay the cost of their removal?
- 2) Which at grade crossings will have an increase in the number of daily train movements or an increased time of train occupancy?
- 3) Should improvements to the crossing protection be needed as a result of the foregoing, who will assume the cost?
- 4) Can any subways (viaducts) be daylighted as a result of this action?
- 5) Will the connection track called for in "Sub-No.9" (Page 15) necessitate any new or expanded crossings or cause any landlocked parcels which may become a site for flydumping or other undesirable activities?
- 6) Please provide more information regarding the location of the the site of the connecting track in "Sub-No. 11" (Page 16) as this site may not be within the City Limits of Chicago.

NEIGHBORHOODS



Please forward the responses and supportive data to Mr. Samuel D. Polonetzky, P.Eng., Coordinating Engineer of this Department (1-312-744-5974) who will evaluate our final responses.

Sincerely



Eileen Carey

SDP:sdp
CC:

Administrative Law Judge Jacob Leventhal,
Federal Energy Regulatory Commission
888 First St. NE — Suit 11F
Washington DC 20426

Dennis G Lyons Esq.,
Arnold & Porter
555 12th St. NW
Washington DC 2004-1202

Richard A. Allen Esq.,
Zuckert, Scott, & Rasenberger LLP.
888 17th St. NW — Suit 600
Washington DC 2006-3939

Paul A. Cunningham Esq.
Harkins Cunningham
1300 19th St. NW — Suit 600
Washington DC 20036

Bernard Morris, Chief Railroad Engineer,
Illinois Commerce Commission
527 Capitol Ave
Springfield Illinois 62706

James Heffernan, Deputy Commissioner
Bureau of Electricitiy

John Donovan, General Supt. — E.W.& C

David Ochal, First Deputy Commissioner
Department of Streets & Sanitation

STB

FD

33388

8-29-97

J

PUBLIC

August 23, 1997

Bay Village, Ohio

To whom it may concern;

As residents of Bay Village we are apposed to the almost tripling of train traffic through our community.

Norfolk Southern's plan to increase daily freight passage will affect our access to the nearest hospital in the neighboring community of Kentlake.

The increased rail movement of course escalates the possibility of accidents.

Sincerely yours;
Mary L. Hiller
Robert L. Hiller



N. W. and Sonja Meadows

19000 Lake Road, #804

Rocky River, OH 44116

(216) 333-2567

August 25, 1997

Surface Transportation Board
1925 K St., NW
Washington, DC 20423

Re: FD33388



Dear Madam/Sir:

We are writing to protest the proposed increase in traffic by Norfolk Southern through the Western suburbs of Cuyahoga County. Such a move would jeopardize the safety and well being of our residents.

Sincerely,

Sonja Meadows
Nathan W. Meadows

Nathan W. and Sonja Meadows



OHIO BUREAU OF MOTOR VEHICLES

APPLICATION FOR PARKING PLACARDS FOR PERSONS WITH DISABILITIES AND ORGANIZATIONS

Ohio Revised Code, Section 4503.44
SEE REVERSE SIDE FOR INSTRUCTIONS

BMV OR DEPUTY USE ONLY

PLACARD NO. _____

ISSUED DATE _____

CHECK ALL THAT APPLY:

☐ One Placard fee \$7.25☐ Replacement Placard fee \$7.25☐ Renewal fee \$2.25☐ Two Placards fee \$14.50

Previous Placard # _____

Placard # _____
(within 90 days of expiration date)☐ Damaged☐ Lost☐ Stolen

PLEASE PRINT OR TYPE

APPLICATION FOR DISABLED PERSONS

NATHAN W. MEADOWS

Name of Disabled Person

19000 LAKE RD

Street Address

ROCKY RIVER

City

OHIO 44116

State Zip

OHIO, CUYAHOGA

County

X Nathan W. Meadows

Signature of Disabled Person, or Next of Kin (Relationship)

234-22-7720

Social Security Number of Disabled Person

08-25-97 (216) 333-5043

Date Signed

Telephone Number

PHYSICIAN/CHIROPRACTOR'S CERTIFICATION

1. Cannot walk two hundred feet without stopping to rest.
2. Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair or other assistive device.
3. Is restricted by lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest.
4. Uses portable oxygen.
5. Has a cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.
6. Is severely limited in the ability to walk due to an arthritic, neurological or orthopedic condition.
7. A person that is blind.

This is to certify that _____ is a disabled person with specific disability(ies) that meets one of the criteria printed above on this form.

The duration of the disability is expected to be: ☐ Seven months or more - must renew every 5 years ☐ Less than 6 months

Name of Physician or Chiropractor (print or type)

X

Signature of Physician or Chiropractor (Stamped signature not acceptable)

Street Address

License Number

Date signed

City

State

Zip Code

Telephone Number

APPLICATION BY AN ORGANIZATION (MUST BE NOTARIZED)

This is to certify that we are a private organization, or corporation or any governmental board, agency, department, division or office that, as part of its business or program, transports persons with disabilities (limited or impaired ability to walk) on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special equipment for use by persons with disabilities.

X

SIGNATURE of authorized Agent/Officer of Organization

Title/Position

Name of Organization

Federal Tax ID/Charter Number

Date Signed

Street Address

Telephone Number

City

OH

State

Zip Code

Service Provided for Persons with Disabilities

Sworn before me and signed in my presence this

X

NOTARY PUBLIC

My commission expires

_____ day of _____ 19 _____

INSTRUCTIONS

Ohio Law: Section 4503.44 of the Ohio Revised Code, permits the issuance of a parking placard for persons with disabilities and organizations. **The placard must be hung on the rear view mirror.**

Application Requirements:

I. TO OBTAIN A PLACARD FOR THE DISABLED PERSON

- A. The application for the parking placard must be completed in the name of the disabled person and signed.
- B. Proof of the disability must be submitted.
 - 1. Your personal physician or chiropractor must complete the front of this application including his/her license number. The duration time, 7 months or more/less than 6 months, must be checked.
 - 2. A veteran may submit a properly completed federal Standard Form 544 with this application. The S.F. 544 must state the veteran's name and the qualifying disabling condition per O.R.C. 4503. 44.
- C. If your placard has been lost, stolen, or damaged complete the top portion of this application and sign. No physician certification is required. List your previous placard number and check the reason for replacement.
- D. Remittance in the amount of \$7.25 for the initial placard and \$7.25 for an additional placard. A replacement placard is \$7.25. Renewals \$2.25. (Please make check payable to State of Ohio, BMV.) Additional or replacement placards are issued for the same expiration date as that of the initial placard, regardless of issuance date.
- E. Take completed application and fee(s) to any local Deputy Registrar agency or mail to the Ohio Bureau of Motor Vehicles, Attn.: Registration Division, P.O. Box 16521, Columbus, OH 43266-0021.

II. TO OBTAIN THE PLACARD FOR AN ORGANIZATION

- A. An organization may obtain a parking placard if it transports disabled individuals on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special equipment for use by persons with disabilities.
- B. The application must be notarized.
 - 1. The bottom portion of the front of this application must be completed in the name of the organization, signed by an officer and notarized.
 - 2. You may obtain up to two placards per application.
 - 3. If your placard has been lost, stolen, or damaged, complete and notarize the bottom portion of this application. List your previous placard number and check the reason for replacement. A replacement placard will expire on the same date as your original placard.
 - 4. Remittance required in the amount of \$7.25 for the initial placard and \$7.25 for an additional placard. A replacement placard is \$7.25. Renewals \$2.25. Please make check payable to: State of Ohio, BMV.
- C. Take completed application and fee(s) to any local Deputy Registrar agency or mail to the Ohio Bureau of Motor Vehicles, Attn.: Registration Division, P.O. Box 16521, Columbus, OH 43266-0021. (1 -614-752- 7800)

BMV USE ONLY

Do not write in space below

533 Columbia Rd.
Bay Village, OH 44140
August 23, 1997



Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W.
Washington, DC 20423

Subject: Acquisition of Conrail by Norfolk Southern Corp. and CSX Corp.

Gentlemen:

I am writing in support of the acquisition of Conrail by Norfolk Southern Corp. and CSX Corp. Recently the local communities of Bay Village, Rocky River and Lakewood have generated considerable political opposition to the acquisition because of NS's proposed increase in train frequency over the section of the old Nickel Plate which passes through these communities. I do not agree with this opposition.

The predecessor to the NS contributed significantly to the development of these communities. Further the communities largely developed after the railroad was in place and operating trains at a frequency considerably higher than at present. This did not seem to inhibit or stifle the growth of the area. The Railroad pays taxes to the cities involved and should be allowed to pursue its interests as long as it does so in a responsible manner.

Reasonable efforts need to be made to cater for the health and safety of the nearby residents and other affected citizens. Assuming such efforts are anticipated in their application I hope you will look favorably upon it.

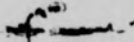
I am not an employee or stockholder of any of the entities involved although I am a resident of Bay village.

Thank you.

Very truly yours,

A handwritten signature in cursive script, reading "Edward T. Manning Jr.".

Edward T. Manning Jr. P.E.


Beach House
Condominium Owners
Association
22500 Lake Road, Rocky River, Ohio 44116
(216) 333-6175



22 Aug., 1997

Secretary
Surface Transportation Board
1925 K. Street, N.W.
Washington, D.C. 20423

Dear Secretary:

Our eight story building is located in Rocky River, north of the Fire and Police facilities of the City. We have 46 units in the building, housing 70 residents. The majority of these are senior citizens. The units are privately owned and represent a meaningful tax base.

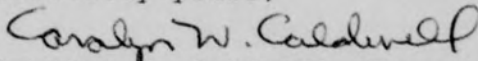
The railroad tracks through Rocky River separate us from all emergency services. The tripling of trains through our community will severely impact on response time to this area in the northern part of the city.

There is a large apartment building across the street from us and an even larger retirement/nursing facility next to that. They also will be in great jeopardy.

We are urging you to reconsider your decision to increase train traffic through our community. It is frightening to think how this will adversely affect our safety and overall protection.

We look forward to your just resolution of this matter.

Cordially yours,


Carolyn W. Caldwell, Secretary
Board of Directors of the Beach
House and Owners of the Beach
House properties

cc: D. Umerley, Mayor, City of Rocky River
D. Matty, Law Director, City of Rocky River
R. Frost, Ward 1 Council Member
P. Bobst, At-Large Council Member
S. Butler, At-Large Council Member
W. Knoble, At-Large Council Member



August 25, 1997

Congressman Kucinich
14400 Detroit Road
Lakewood, OH 44107

Dear Congressman Kucinich:

I am writing on behalf of Mayor Jelepe's request. I am a resident of Bay Village. Approximately 1/4 mile from the Rail Road tracks.

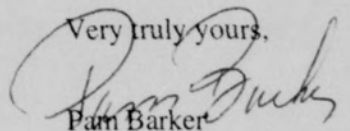
Please do not let this merger happen!

We need your support!

This will not only put innocent people in danger it will disrupt businesses and daily travel.

Again, I ask for your support. I have always supported your campaign and will continue to do so.

Very truly yours,


Pam Barker
527 Woodlane Drive
Bay Village, OH 44140

(216) 871-8710

Senior Director Event Marketing
Belkin Productions, Inc.
44 North Main Street
Chagrin Falls, OH 44022
(216) 247-2722

cc: Federal Service Transportation Road Section of Environmental Analysis

STB

FD-33388

ID-181649

8-29-97

J

181649

LAW OFFICES •

BARBIN, LAUFFER & O'CONNELL

(PROFESSIONAL CORPORATION)

608 HUNTINGDON PIKE

ROCKLEDGE, PENNSYLVANIA 19046-4490

TELEPHONE (215) 379-3015

TELECOPIER (215) 663-8906



HARRY C. BARBIN
JOHN W. LAUFFER
GEORGE P. O'CONNELL
WILLIAM M. O'CONNELL, III

August 28, 1997

VIA FEDERAL EXPRESS

Office of the Secretary
Case Control Branch
Attn: STB Finance Docket No. 33388
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

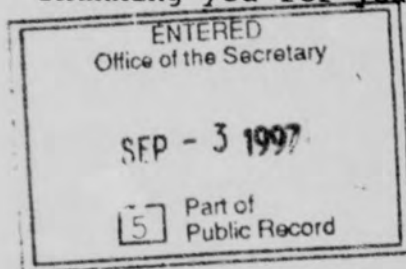
**RE: CSX Corporation And CSX Transportation, Inc.
Norfolk Southern Corporation And Norfolk
Southern Railway Company -- Control And Operating
Leases/Agreements -- Conrail Inc. And Consolidated
Rail Corporation
Finance Docket No. 33388
Notice Of Intent To Participate In Proceeding**

Dear Sir/Madam:

In accordance with Decision No. 21 dated August 19, 1997, we would like to request a change in our address on the service list attached to Decision No. 21. The service list reflects a wrong zip code for our address. Please note our complete correct address below:

Harry C. Barbin, Esquire
BARBIN, LAUFFER & O'CONNELL
608 Huntingdon Pike
Rockledge, PA 19046

Thanking you for your courtesy and cooperation, I remain



Very truly yours,

BARBIN, LAUFFER & O'CONNELL

Harry C. Barbin
Harry C. Barbin

HCB:kac

p.s. Enclosed with this letter is a disk containing the contents of this letter

STB

FD

33388

8-28-97

J PUBLIC

**NORTH AMERICAN WILDFOWL ART MUSEUM
SALISBURY, MARYLAND**

A museum to preserve and perpetuate the art form of handmade wooden carved decoys. Housing a collection of approximately 2,500 pieces, it is the largest public wildfowl museum in the country. World Championship Wildfowl Carving Competition is held first weekend in October. Open daily except Monday.

FD 33388-

THIS WEEK-

ANOTHER DEATH TAKEN
BY TRAIN - LAKEWOOD
OHIO - PLEASE PACASE

NO MORE ADDITIONAL
ENGINES + FREIGHT CARS
ON THESE TRACKS-

Respectfully

Georgia K. Stewart

Georgia K. Stewart
The Western + Stone 1029 N.
14306 Detroit Ave.
Lakewood, OH 44106-4465



Harry S. Truman

USA 20c

POST CARD

SURFACE TRANS BD

1925 K. ST. NW
WASH. D.C. 20423

Dist. by Gardner Enterprises, 2809 Ocean City Rd., Salisbury, MD 21801



50449168



ROZANNE VICTORY

1269 Ramona Ave.
Lakewood, Ch. 44107
Aug. 25, 1997

Surface Transportation Board

1925 K. S.W.

Washington, D.C. 20423

Federal Docket No. 33388



Gentlemen:

My family, neighbors and I
are concerned about the proposed
increase in traffic on the
Norfolk - Southern route, which
runs through Lakewood and
the adjoining suburbs. Not
only would these suburbs
be disrupted by having to

wait (sometimes ten minutes) for
trains to pass; but the noise
pollution, the danger of more ac-
cidents both from train collisions
and the threat of toxic spills,
the delay of emergency vehicles
to the hospital, and the possibility
of decreased property values,
make this proposed plan un-
acceptable.

We trust that an alternate
route can be found where
the above factors will not
be a problem.

Thank you for your
consideration.

Sincerely,
Lorraine J. Victory
(Mrs. N. A.)

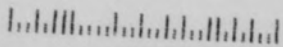


W A Victory
1269 Ramona Ave
Cleveland, OH
44107-2631



SURFACE TRANSPORTATION BOARD
1925 K ST. N.W.
WASHINGTON, D.C. 20423

FD 333 88



Mary Meadows

19000 Lake Road, #908

Rocky River, OH 44116

(216) 333-2567

August 25, 1997

Surface Transportation Board
1925 K St., NW
Washington, DC 20423

Re: FD33388



Dear Madam/Sir:

I am writing to protest the proposed increase in traffic by Norfolk Southern through the Western suburbs of Cuyahoga County. Such a move would jeopardize the safety and well being of our residents.

Sincerely,

Mary Meadows

John M. Paximadis

19000 Lake Road, #327

Rocky River, OH 44116

(216) 333-2567

August 25, 1997

Surface Transportation Board
1925 K St., NW
Washington, DC 20423

Re: FD33388



Dear Madam/Sir:

I am writing to protest the proposed increase in traffic by Norfolk Southern through the Western suburbs of Cuyahoga County. Such a move would jeopardize the safety and well being of our residents.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Paximadis".

John Paximadis

612 Revere Drive
Bay Village, OH 44140
August 23, 1997



Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N.W.
Washington, DC 20423

Dear Sir;

We are writing this letter with the sincere hope that you will hear our deep concerns on the Norfolk Southern's (NS) proposal to increase traffic through our western suburbs to more than triple from what we have been experiencing.

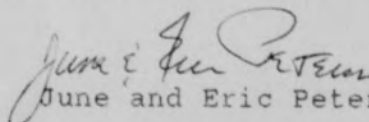
Bay Village is located between Lake Erie to the north and the Norfolk Southern train track to the south. All our major medical needs are located to the south of us on the other side of the tracks. Recently my wife had a stroke. I called 911 and had her in the hospital (on the OTHER SIDE OF THE TRACK) in 10 minutes. The doctors were most appreciative of getting her to the hospital so soon . By having treatment so quickly her, the effects of the stroke were minimized. Had we been held up by a train going by at the particular time we crossed the tracks, time would have been lost - valuable time.

There are many reasons why we are very concerned about this latest change of increase train traffic. In addition to the concern for medical needs as pointed out , there is the inconvenience factor on all our daily activities, the concern for decreasing property values, the noise level. Since Bay Village is long in length (East to West) but short in depth (North to South), train traffic is very noticeable and unpleasant.

We live with what we have become accustom to. We feel that the proposed increase in train traffic would not be in the interest of our community. We hope and pray you will look at this proposal as a change that is not going to occur.

Thank you for your consideration.

Sincerely,


June and Eric Peterson

Gayle R. & John R. Absi
28111 Knickerbocker Rd.
Bay Village, Ohio 44140
(440) 871-8688

August 21, 1997

Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N. W.
Washington, D. C. 20423

RE: Norfolk & Southern's proposal to increase rail traffic

To Whom It May Concern:

This letter is to inform you of our concerns surrounding the proposed increase in train traffic by Norfolk & Southern through the western suburbs of Cleveland Ohio.

We live in the community of Bay Village, the northern border hits Lake Erie, and the southern border is lined by the N&S rail line. To Bay Village's east running along the lake shore are the communities of Rocky River and Lakewood. To the west is the community of Avon Lake. To the south, across the tracks is Westlake. Each of these communities are primarily residential and heavily populated with homes. The rail tracks literally run through many many neighborhoods. For those who live to the north of the N&S rail line, crossing the tracks, at least daily, is common place.

Specifically the concerns we have with respect to the proposed tripling of the trains from approximately 12 to 30 in per day are as follows:

1. Our access to emergency services where time is critical. The services are south. The one and only road that allows bridge access over the tracks is nowhere near the closest hospital. Delaying emergency access 30 times a day is too risky. Further, the times where the trains simply stop in or crawl through our neighborhoods causes unsettling risk to the residents of these communities.
2. The noise pollution that the trains create in the neighborhoods is tremendous. There are zoning laws for airports and highways. Why should we allow freight trains to ramble through our neighborhoods (in many instances the tracks are closer to the homes than the city streets!!) creating noise so loud that you cannot hear the person next to you. Further, we appreciate and respect the need for the conductors to sound their horns while approaching an intersection, however, many of the conductors, particularly in the night, sound them excessively without reason.
3. The safety issue would be tripled.
 - Already we have accidents and fatalities involving freight trains. But now, we are tripling the risk which will inevitably increase the injuries



Surface Transportation Board
Section of Environmental Analysis
1925 K Street, N. W.
Washington, D. C. 20423

August 21, 1997

Page 2

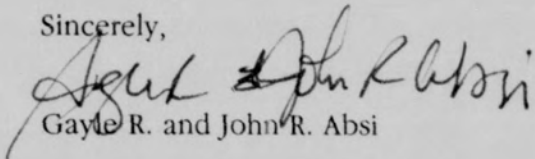
and deaths.

- What are these trains carrying? Toxic substances, flammable substances, or worse? What types of health risks or catastrophes are we, the citizens of these communities, being exposed to in the event of an accident or derailment?

In conclusion, in 1997, it no longer makes sense to have freight trains running this line. The residential population in all the communities affected is too large to permit this mode of transportation to continue. The risks are too high and there are too many people being affected. Please consider all of these issues and to what you will be exposing the residents in these communities. N&S must have suitable alternatives, just a few months before this announcement, they announced plans to abandon the line when this purchase took place. That would be fine with us.

Thank you for your consideration and if you wish to discuss any of these issues with us, please contact us at the number above.

Sincerely,



Gayle R. and John R. Absi

STB

FD

33388

8-28-97

J

FEDS

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

August 28, 1997

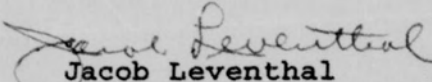


Vernon A. Williams
Office of the Secretary
Surface Transportation Board
1925 K Street N.W.
Washington, D.C. 20423-0001

Dear Secretary Williams:

Re: Finance Docket No. 33388
Letter of Edward J. Wieland

I am forwarding to you a letter which I received from Mr. Edward J. Wieland concerning the above referenced matter for appropriate action.


Jacob Leventhal
Administrative Law Judge

cc: Mr. Edward J. Wieland

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D. C. 20426

August 27, 1997

Mr. Edward J. Wieland
1301 Granger Avenue
Lakewood, OH 44107-2232

RE: STB Finance Docket 33388
CSX Corp./Norfolk Southern Corp.--Control
And Operating Leases/Agreements--Conrail



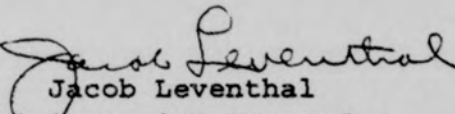
Dear Sir;

I am in receipt of your letter dated August 18, 1997, which I am forwarding to the Secretary of the Surface Transportation Board for appropriate action. The Surface Transportation Board has jurisdiction over this proceeding. Although I am a Federal Energy Regulatory Commission Judge, I have been appointed by the Surface Transportation Board as a Discovery Judge to rule on any discovery disputes among the parties in this proceeding. I have no other authority in this matter.

Any further communication you may wish to have regarding this proceeding should be addressed to:

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street N.W.
Washington, D.C. 20423-0001

Very truly yours,


Jacob Leventhal
Administrative Law Judge

cc: Mr. Vernon A. Williams

Mr. Edward J. Wieland
1301 Granger Ave
Lakewood OH 44107-2232

August 18, 1997

The Honorable Jacob Leventhal
Federal Energy Regulatory Commission
888 First St NE Ste 11F
Washington DC 20426

RE: Norfolk Southern and CSX Railroads plan is unnecessarily harmful to northeast Ohio

Dear Judge Leventhal,

I am writing to you today on a matter of utmost urgency. The Norfolk Southern (NS) and CSX Railroads have jointly placed before your commission a plan to divide the assets and control of Conrail. Overall, the division of Conrail between NS and CSX holds the potential for increased competition in the railroad business in certain key markets, and this is very good for our nation. However, some specific elements of their plan are unnecessarily harmful for northeast Ohio. *Tens of thousands of citizens in northeast Ohio need your help!* I am writing to request that you, and Federal Energy Regulatory Commission, insist upon some reasonable changes before approving the joint NS & CSX plan.

The NS & CSX plan calls for tripling the daily number of freight trains on a single set of tracks which runs through Lorain and Cuyahoga counties, including the city of Cleveland, Ohio. On one short stretch of this otherwise unimportant set of tracks, lies the city of Lakewood, Ohio where I live. We have 27 graded crossings, and only one underpass, in a stretch of 2 1/2 miles, through a bedroom community of 50,000 people. No city in the USA is so densely populated and has so many graded crossings in so small of an area. We have learned to live with the existing freight trains that NS runs through our town. They cut our town in half and halt all north-south traffic for several minutes as each train goes by. But if the NS & CSX plan is implemented without changes, the number of trains will triple each day to approximately 40. And the plan calls for the smaller freight trains NS runs now to be replaced by slower, heavier coal trains instead. Each train would take longer to pass, dividing our city for a longer time. Our hospital would be isolated from half the city for a longer time. Our police cars, fire engines and ambulances would be prevented from crossing the tracks for longer periods of time. Our traffic congestion and pollution problems would be worsened. More train collisions would be likely. Thousands of children would be exposed to the greatly increased dangers of crossing the tracks on the way to schools and parks. A derailment involving chemicals or hazardous waste could force the evacuation our entire town, because so many people live so close. Emergency response teams would have difficulty reaching the scene because they would be blocked from access by Lake Erie to the north, and by the very train which has derailed, to the south. Evacuation of schools, nursing homes, and high rise buildings which lie between the lake and the NS tracks would pose a nightmare worthy of a Hollywood disaster movie.

None of these problems need to occur because a reasonable alternative exists. The current Conrail tracks lie several miles to the south of the NS tracks. They are newer tracks that were laid through industrial and commercial areas of Cleveland and the surrounding suburbs. They have far fewer graded crossings, and fewer accidents each year. I am not merely suggesting that a "problem" be moved to someone else's back yard. A freight train on industrial tracks without graded crossings in the 21st century is progress. That same freight train on tracks built in the 19th century for passenger trains, in a densely populated city with only one underpass, is a disaster waiting to happen.

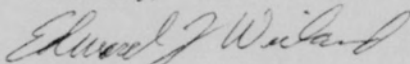
The Honorable Jacob Leventhal

Page 2

August 18, 1997

I realize that changing the routing of some NS freight trains may cost NS and CSX some money. New rail connections may be required, in less populated areas, without graded crossings. An innovative solution will have to be devised. If the NS & CSX plan is worthy of your consideration, the plan must represent both greater profitability and greater efficiency for both NS and CSX. These two railroads can finance the necessary changes to their plan through those future profits and cost savings. Clearly, the railroads are expecting their business to increase, as they reap the benefits of their Conrail purchase. In light of the benefits which they can expect from their plan, it is not unreasonable to expect NS and CSX to consider the safety needs of the communities through which they operate.

Yours truly,

A handwritten signature in cursive script, appearing to read "Edward J. Wieland".

Edward J. Wieland

STB

FD

33388

8-27-97

J

BUSINESS



Gannett Fleming
ENGINEERS AND PLANNERS

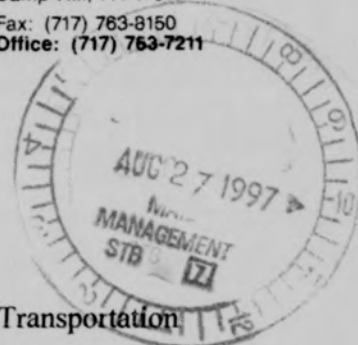
GANNETT FLEMING, INC.
P.O. Box 67100
Harrisburg, PA 17106-7100

Location:
207 Senate Avenue
Camp Hill, PA 17011

Fax: (717) 763-8150
Office: (717) 763-7211

August 13, 1997

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW
Washington, DC 20423-0001



Re: Norfolk Southern/CSX Transportation
Acquisition of Conrail

Dear Mr. Williams:

We look forward to your continuing efforts to finalize the subject acquisition of Conrail by Norfolk Southern and CSX Transportation. The potential benefits to the public are numerous and include the following:

- Increased competition among our nations rail freight carriers.
- Capital investment into our vital rail infrastructure.
- Re-activation of dormant rail corridors.
- Cost effective alternatives to shipping goods between Eastern and Midwestern markets
- Improved global access for good through East coast ports.
- Increased opportunities for short line operators to move goods and materials.

For these and many other reasons, this acquisition will have a positive impact on all of us to preserve and more fully utilize our existing rail infrastructure to better compete in the global economy.

Very truly yours,

GANNETT FLEMING, INC.

Michael T. Lee, P.E.
Manager, Transit and Railroad Section

MTL/mer
MTLNRFLK.LET

A Tradition of Excellence Since 1915



OHIO STEEL INDUSTRY ADVISORY COMMISSION / OHIO DEPARTMENT OF DEVELOPMENT
P.O. Box 1001 COLUMBUS, OH 43266-1001 (614) 466-4551 FAX (614) 644-1789



August 21, 1997

Office of the Secretary
1997 Case Control Branch
Attn: STB Finance Docket No. 33388
U.S. Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20424-0001

Re: Deadline for petition for waiver (due August 22, 1997)

Mr. Secretary:

The Ohio Steel Industry Advisory Council requests an STB Finance Docket sub-number and, hereby, reserves its right to comment further in proceedings of the above-reference docket number, the proposed Conrail acquisitions, as a party of record.

Please direct all correspondence to Mr. Charles S. Hesse whose address and telephone number are listed below. If you have any questions, they may be directed either to me or Mr. Hesse.

Sincerely,

Harold V. Kelly
Co-Chairman,
Ohio Steel Industry Advisory Council

Harold V. Kelly
Executive Vice President
Republic Engineered Steels, Inc.
410 Oberlin Road, S.W.
Massillon, OH 44647

330-837-7045 (O)
330-837-6170 (F)

Charles S. Hesse
President
Charles Hesse Associates
8270 Stoney Brook Drive
Chagrin Falls, OH 44023

216-543-7425 (O)
216-543-9725 (F)



TENTH ANNIVERSARY

18 August 1997



Secretary
Surface Transportation Board
1925 K Street NW
Washington, DC 20006-0001

To Whom It May Concern:

This letter is being filed with regard to the proposed sale of CONRAIL to Norfolk Southern and CSX. The National New York Central Railroad Museum located in Elkhart, IN currently maintains a switch and siding with the CONRAIL Main Line. The Museum, looking out for its best interest, wishes to be a participant in the proceedings. By doing so, the Museum hopes to maintain its ability to interchange with the presiding railroad.

Thank you for your time and cooperation.

Sincerely,

David M. Bird
Executive Director and Museum Representative

ART SHANK
General Manager

(313) 522-7060
Fax: (313) 522-8730



29601 INDUSTRIAL ROAD • LIVONIA, MICHIGAN 48150

ROAD • LIVONIA, MICHIGAN 48150-2012 • (313) 522-7060

August 21, 1997

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
12th and Constitution Avenue, N.W.
Washington, D.C. 20423



Dear Secretary Williams:

Re: Acquisition of Conrail by CSX and Norfolk Southern

I would like to take this opportunity to introduce myself. My name is Art Shank, and I am the General Manager of the Michigan Dairy which is located in Livonia, Michigan; owned and operated by The Kroger Co. Michigan Dairy primarily serves the Metropolitan Detroit area, along with outlying areas such as Bay City, Saginaw, Flint, Port Huron and Lansing.

I am writing to express my strong support for the agreement between CSX Corporation and Norfolk Southern Corporation on the acquisition of Conrail assets.

In recent months, CSX and Norfolk Southern have engaged in intense negotiation to acquire the rail lines and assets of Conrail, Inc. The two corporations have reached an agreement on the division of Conrail which will split its routes and other properties. Both CSX and NS will acquire certain trackage and equipment that will build two viable, strong railroads to anchor America's transportation needs in the northeast and Midwest.

The resulting rail networks of this division will reach every major market east of the Mississippi. This will improve service, increase speed of delivery and establish reliability by eliminating the costs and delays associated with interchange points. For example, transit times for rail shipments between Detroit and Chicago will be reduced to 24 hours from the current 48 hours or more.

CSX already serves as a critical link delivering raw materials to Michigan industries which supply finished products to the rest of the nation and the world. Automotive, agricultural, metals, chemicals and furniture are among the major commodities which rely on dependable rail transportation to and from Michigan. The joint CSX-NS acquisition will enhance the ability of Michigan job providers to have better rail service options at competitive rates.



MICHIGAN DAIRY • 29601 INDUSTRIAL ROAD • LIVONIA, MICHIGAN 48150-2012 • (313) 522-7060

August 21, 1997



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
12th and Constitution Avenue, N.W.
Washington, D.C. 20423

Dear Secretary Williams:

Re: Acquisition of Conrail by CSX and Norfolk Southern

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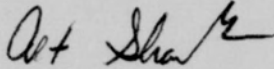
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Mr. Vernon A. Williams

Page 2

I urge the Surface Transportation Board to approve the joint acquisition of Conrail assets by CSX and Norfolk Southern. The Michigan economy will be strengthened by the competition of two strong, balanced and highly regarded railroads.

Sincerely,

A handwritten signature in dark ink, appearing to read "Art Shank", with a stylized flourish at the end.

Art Shank

General Manager

AS/lb

cc: Dennis Munchmore & Associates
Mike West, MDFA

STB

FD

33388

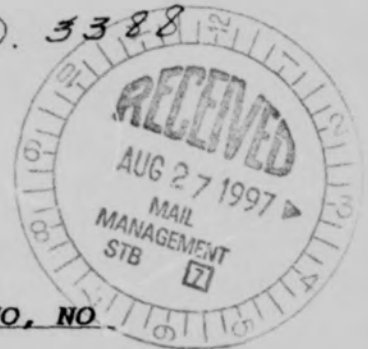
8-27-97

J

PUBLIC

August 18, 1997

The Honorable Dennis Kucinich
Representative of Congress
12217 Milan Avenue
Cleveland, Ohio 44111



SUBJECT: TRAINS, TRAINS AND MORE TRAINS - NO, NO, NO, NO
NOT IN THE WESTERN SUBURBS

Dear Mr. Kucinich:

The issue of tripling the number of trains proposed for the western suburbs is of grave concern, as expressed by the various mayors of the affected communities. It is life-threatening to the citizens.

HOWEVER, THERE ARE OTHER PROBLEMS TO BE ADDRESSED REGARDING TRAINS. They may not be life-threatening, but they are very annoying.

A. SPECIFIC QUESTIONS WITH COMMENTS

1. Why is the Berea route not favorable?

There is a large switching area right by the airport.

2. Why not a commuter route?

There are many people living between Lakewood and further west who drive to work, or park in Ride-Share lots using RTA.

As a retired person, I would like to go downtown for various events, but don't want to drive there.

3. Why don't the railroads maintain their property along the tracks?

There is so much wild growth along the tracks. On my property it is creeping into my yard, which also includes poison ivy.

B. OTHER QUESTIONS AND COMMENTS

1. How many feet from a crossing should a whistle be blown?

If more trains are added, living in my present house will become unbearable. What kind of resale value will it have?

I don't mind anyone wanting to make a profit, BUT THIS IS PURE GREED FROM CHICAGO TO NEW YORK AT OUR EXPENSE NOT TO MENTION COMPLETE INSENSITIVITY.

Your help and effort will be appreciated not only by me but many others in the affected suburbs.

Sincerely yours,

Patricia L. Meighan
635 Oakmoor Ave.
Bay Village, OH 44140

Enclosure - picture

c: Mayor Jelepis (w/picture)
Bay Village, OH

Joe Dirck
The Plain Dealer

Evelyn Theiss
The Plain Dealer

Sun Newspapers

✓ Federal Surface Transportation Board
Section of Environment Analysis
1925 K St., NW
Washington, DC 20423
F.D. 3388

Thomas R. Pahys
13929 Lake Avenue
Lakewood, Ohio 44107-3107

August 19, 1997

Surface Transportation Board
1925 K St. NW
Washington, D.C. 20423



RE: Federal Docket No. FD33388

Dear Sir/Madam:

I am writing to your Board as a concerned citizen regarding the plan of Norfolk-Southern Railway to increase the number trains running directly across the entire width of the city of Lakewood, Ohio from approximately 14 to 34 per day. This proposal of running freight trains running across our city at a rate of almost 1.5 per hour is outrageous.

Our community is one of the most densely populated cities between New York and Chicago. Lakewood is a residential community with little or no industry. The tracks bisect our city and the additional trains would severely disrupt normal north-south travel to a great degree as we have only one overpass at the west end of the city. Local businesses would be adversely affected, as well as creating an inconvenience and even increased danger to our residents.

Also, a very large percentage of our residents are senior citizens. Many live in skilled, semi-skilled and assisted care facilities, located immediately adjacent to the tracks. The increased additional noise, dirt and the increased hazards of crossing the tracks to shop would again adversely impact upon them and their well being.

Additionally, the school age children in the community, again in one of the largest school systems in this area, would be subjected to increased risks as they all must walk to school, as we have no school bus transportation.

You must not allow the corporate quest for profit devour the best interests of the community, a community most seriously and adversely affected by this callous proposal. The public welfare must not be ignored. Please reject this most dangerous proposal.

Very truly yours,

A handwritten signature in cursive script, reading "Thomas R. Pahys".

Surface Transportation Board
1925 K Street NW
Washington, D.C. 20423

August 15, 1997

RE: FD 33388



To Whom It May Concern,

I strongly urge you to reconsider the Norfolk and Western Railroad increased use of the north tracks through the Ohio communities of Lakewood, Rocky River, Bay Village and Avon Lake.

I am a lifetime resident of Rocky River with strong ties to all the communities involved. I, along with my neighbors do not want the increased usage of the railroad tracks for fear of destroying what we taxpayers work so hard to maintain, property values neighborhood atmosphere, and the security and peace we have from knowing our safety forces can reach us in an emergency with no interference from a blocked train crossing, not to mention the noise factor from the warning signals the trains must use when approaching the many crossings. These are NOT rural areas but cities of at least 25,000 people and more.

I support Congressman Kucinich's fight to stop this increase and am urging all my neighbors to become involved in this effort.

Barbara Martin
6 Westfield Lane
Rocky River, OH 44116

A handwritten signature of Barbara Martin in cursive script.

Katherine A. Ingersoll
1328 Sloane Avenue
Lakewood, Ohio 44107

August 21, 1997

Surface Transportation Board
Section of Environmental Analysis
1925 K. St. NW
Washington, D.C. 20423

RE: Docket #FD33388



To Whom It May Concern:

I am writing in strong protest to the proposed acquisition of Conrail by Norfolk Southern and CSX. This acquisition will lead to a tripling of train traffic through my community, Lakewood, Ohio, and communities to the west.

**INCREASED TRAIN TRAFFIC THROUGH OUR RESIDENTIAL
COMMUNITY MUST NOT BE ALLOWED TO OCCUR.**

Lakewood is an older community which abuts a big city, Cleveland, Ohio. It is a community in transition with the recent addition of public housing, and the influx of ethnic and minority residents. Most of us view this as positive, and welcome diversity. However, with our community undergoing changes such as this, we need to keep those residents who can afford to stay and who stay because they want to live here. The increased train traffic right through the center of town will create untold problems, and cause Lakewood to be a less desirable place to live. As a result, those who can afford to move will do so, leaving this wonderful community open to urban decay.

Some of the problems with increased train traffic are:

- coal dust - causing asthma and related respiratory problems**
- noise pollution - trains blow their whistles at every crossing**
(and there are 27 such crossings through this area!)
- the delay of emergency vehicles at these train crossings**
- property tax values lost as the property is devalued**
- tax revenues lost for an older community that needs upkeep**
- possible collisions**
- toxic chemicals**

PLEASE see your way clear to avoid this disastrous increase of train traffic through our lovely community. We love our homes and maintain them with the hope of living here many years. Tripling the train traffic through Lakewood and the surrounding communities is a death notice to Cleveland's westside suburbs.

Sincerely,

Katherine A. Ingersoll
Katherine A. Ingersoll

Mr. & Mrs. Thomas J. Kelley
30681 Cambridge Court
Bay Village, Ohio 44140-1758
August 20, 1997



Surface Transportation Board
1925 K Street
Washington, D.C. 20423

Ref: FD33388

Gentlemen:

This letter is in reference to the proposed increase of rail traffic on the Norfolk Southern Corporation route through Bay Village, Rocky River and Lakewood, three Ohio suburbs. We find it difficult to understand why this corporation would select this route with seventy-five thousand families affected when there are parallel tracts that go through industrial areas with far less crossings. The liability exposure would increase dramatically while limiting the safety of the families' ability to possess the comfort of fire protection and medical services. If Norfolk Southern increases the rail traffic to thirty-five trains per day, this would equate to one train every forty minutes. Chart this with the length of today's trains and you will easily determine the very limited access of safety vehicles and hospitals, especially since this is only a single track.

Secondly, it was reported that the traffic will be increased from fourteen trains per day to thirty-five per day. We are confident that if you check and verify the logs, you will find there has been less than six trains per day through these suburbs. Before we purchased our home in 1984 we called Norfolk Southern and verified the number of trains and at the same time were assured no major increase was proposed. An increase to thirty-five or even fourteen would drastically reduce the value of our home and most others along the tracks. It has been estimated this reduction would be in excess of fifty percent. This is the reality of the economic impact which was not mentioned in any reports.

The railroad's tactics also leaves one very curious. They only notified our mayors forty-eight hours prior to the deadline to file a petition with your board. We all know this plan just didn't happen and this short notice was intentional and lacked even common courtesy. The traffic has already increased, the trains are already much longer, the speed has increased significantly and the whistles are sounded well after they have passed the crossing. It seems their concern for neighbors is diminishing.

This morning a human being was killed at the Hall Avenue crossing in Lakewood, Ohio when a Norfolk Southern train collided with a passenger van. We are sure records verify this has happened many many times in this suburb. We can all sit and point fingers; he tried to beat the train, the train was too fast, too many trains, but bottom line is, What can we do to prevent this? The answer is to limit the traffic and definitely not increase it to thirty-five per day or one every forty minutes.

Sincerely,

M/M Thomas Kelley
Mr. & Mrs. Thomas J. Kelley

STB

FD

33388

8-26-97

J

PUBLIC

TRANSPORTATION BOARD
1925 K ST. NW,
WASHINGTON, D.C., 20423



FEDERAL DOCKET NUMBER, FD 33388 (SHOW THIS ON BOTH
LETTER AND ENVELOPE)

I JOIN THE MAYORS AND ALSO REP. DENNIS KUCINICH
IN THIS BATTLE AGAINST BIG BUSINESS---

NORFOLK-SOUTHERN, CSX CORP & CONRAIL

I AM OUTRAGED BY A PLAN THAT WOULD DISRUPT SO
MANY LIVES, DISTURB THE PEACE OF MY BEAUTIFUL
NEIGHBORHOOD, ENLARGE THE "HEALTH" OF THOUSANDS OF
PEOPLE FROM COAL DUST EXPOSURE, NOISE POLLUTION, THE
POTENTIAL DANGER OF TOXIC CHEMICALS, THE DELAY OF
EMERGENCY VEHICLES & INCREASED CHANCES FOR COLLISIONS.

WHAT WILL BE THE ECONOMIC GAINS FOR
NORFOLK-SOUTHERN TO USE THE NORTHERN ROUTE VERSUS
THE SOUTHERN ROUTE????

FOR THOSE CLOSE TO THE TRACKS THE PRICE IS TOO HIGH!!!

NOW IS THE TIME TO GET TOGETHER AND FIGHT THIS

Rose Cirk

ROSE CIRK
14312 DETROIT RD #1446
LAKEWOOD, OHIO

COPY TO REP. DENNIS KUCINICH
MAYOR MALELINE CAIN

Note

What will this be like in 25 years?

Edward F. Cirk

August 18 '97
Lakewood, Oh.

RE: FD 33388

I am very upset over the huge increased rail traffic on the northern route of the Norfolk-Southern railroad. The danger of health from pollution from Toxic Chemicals + coal dust, collisions, + delay of emergency vehicles. The noise pollution is unbearable.

These trains come one after another, and it is 24 hours a day.

It is just a matter of time until a serious collision occurs.

The people of Lakewood, Bay Village, Rocky River, + Aron Lake, OHIO want a stop to this rail Traffic.

DONALD ALPAUGH
14300 DETROIT, AVE. APT. #717
LAKEWOOD, OH 44107-4461

PHONE 216-221-6116

STB

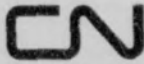
FD

33388

8-26-97

J

BUSINESS



Canadian National

Canadien National

Paul M. Tellier

President and
Chief Executive Officer

Président -
directeur général

935 de La Gauchetière Street West
Montreal, Quebec
Canada H3B 2M9
Telephone: (514) 399-5129
Facsimile: (514) 875-8703

935, rue de La Gauchetière ouest
Montréal (Québec)
Canada H3B 2M9
Téléphone : (514) 399-5129
Télécopieur : (514) 875-8703

22 August 1997

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K. Street, N.W.
Washington DC 20423
U.S.A.



Dear Mr. Williams:

Re: Finance Docket No. 33388, CSX Corporation and CSX Transportation, Inc. Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreement - Conrail Inc. and Consolidated Rail Corporation.

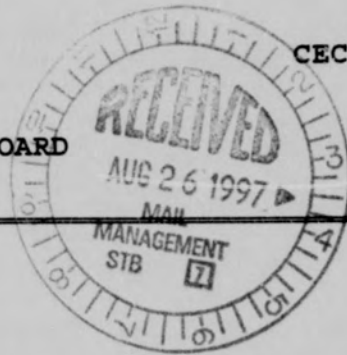
On behalf of Canadian National Railway Company and its rail subsidiaries, ("CN"), I am pleased to advise the Surface Transportation Board of CN's support for CSX's acquisition of those Conrail lines and assets described in the above-referred proceeding. In addition, I am pleased to advise that both CN and CSX have reached several understandings for the development of rail traffic and are currently working on a definitive settlement agreement embodying their understandings. In the event that the final settlement agreement involves matters regarding STB approval, the appropriate filing will, of course, be made with the Board.

Yours sincerely,

Paul M. Tellier
President and
Chief Executive Officer

BEFORE THE
SURFACE TRANSPORTATION BOARD

CEC-04



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)

Finance Docket No. 33388

CENTERIOR ENERGY CORPORATION'S
SECOND SET OF INTERROGATORIES AND DOCUMENT
PRODUCTION REQUESTS TO APPLICANTS

Please provide answers to the following interrogatories, and provide all documents responsive to the following document production requests, in accordance with the Definitions and Instructions appended to Centerior Energy Corporation's First Set of Interrogatories and Document Production Requests to Applicants served on July 30, 1997, which Definitions and Instructions are incorporated herein by reference.

I.

DISCOVERY REQUESTS¹

A. Interrogatories.

24. Please describe how priority will be given and maintained concerning MGA-coal delivery for utility shippers (including Centerior), and explain the operations and impact of the "Shire Oaks" facility (see, e.g., Application, Volume 3A at 532, Volume 3B at 363) on said priority, once the subject control transaction is completed.

25. Please describe whether, and, if so, the manner in which CSX plans to maintain or improve on the current schedule and cycle times Conrail currently provides to Centerior concerning coal shipped from Ohio and Pennsylvania mine origins once the subject control transaction is completed.

26. Please identify and/or describe any capital improvements or allocation of resources CSX expects to provide to the current Conrail system to improve service or reduce costs for coal shipped to Centerior Stations once the subject control transaction is completed.

B. Document Requests.

21. Please provide any documents containing analyses or discussions of the expected variable costs of service associ-

¹The discovery requests contained herein are numbered sequentially beginning with the last respective interrogatory or document request contained in Centerior's First Set of Interrogatories and Requests for Production of Documents.

ated with coal deliveries from OVCC and MGA Mines, including Mine 84, to Centerior's Eastlake and Ashtabula Stations, once the subject control transaction is completed.

22. Please provide documents sufficient to show the railroad equipment (including power and rail cars) to be allocated to coal movements from Ohio and Pennsylvania to Centerior's Eastlake, Lake Shore, and Ashtabula Stations, once the subject control transaction is completed.

Respectfully submitted,

CENTERIOR ENERGY CORPORATION

By: Mary E. O'Reilly
Centerior Energy Corporation
6200 Oak Tree Boulevard
Independence, Ohio 44131

OF COUNSEL:

Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, D.C. 20036

C. Michael Loftus
Frank J. Pergolizzi *Frank J. Pergolizzi*
1224 Seventeenth Street N.W.
Washington, D.C. 20036
(202) 347-7170

DATED: August 22, 1997

Attorneys for Centerior
Energy Corporation

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Second Set of Interrogatories and Request for Production of Documents were served this 22nd day of August, 1997, by facsimile upon:

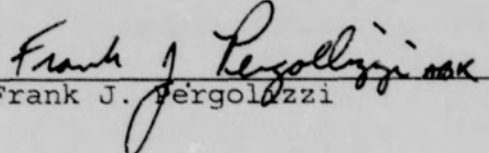
Drew A. Harker, Esq.
Arnold & Porter
555 Twelfth Street, N.W.
Washington, D.C. 20004-1202
(202) 942-5999 (fax)

John V. Edwards, Esq.
Patricia E. Bruce, Esq.
Zuckert, Scoutt & Rasenberger,
L.L.P., Suite 600
888 Seventeenth Street, N.W.
Washington, D.C. 20006-3939
(202) 342-1608 (fax)

David H. Coburn, Esq.
Steptoe & Johnson L.L.P.
1330 Connecticut Ave., N.W.
Washington, D.C. 20036-1795
(202) 429-3902 (fax)

Gerald P. Norton, Esq.
Harkins Cunningham
1300 Nineteenth Street, N.W.
Suite 600
Washington, D.C. 20036
(202) 973-7610 (fax)

and by first class mail, postage prepaid upon all other parties on the Restricted Service List.


Frank J. Pergolizzi



FOUNDED 1844



August 28, 1997

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

RE: Finance Docket No. 33388 - CSX/Norfolk Southern Acquisition and Control of Conrail

Dear Secretary Williams:

My name is Orville R. Harrold, President of Providence and Worcester Railroad Company ("P&W"). I have held that position since 1980 and have been employed continuously in the railroad industry in various capacities since January 1960.

P&W is a 520 mile Class III railroad with operations in Connecticut, Massachusetts, Rhode Island and New York. It handled over 27,000 conventional carloads and 40,000 intermodal containers in 1996. P&W's traffic base is diverse and includes construction aggregates, chemicals, plastic resins, pulpboard, paper, foodstuff, steel (semi-finished and scrap), lumber and hazardous waste. The intermodal traffic consists of finished consumer products. P&W interchanges with Conrail in Worcester, Massachusetts, Springfield Terminal/Guilford Transportation in Gardner, Massachusetts, New England Central Railroad in New London, Connecticut and New York and Atlantic Railroad (aggregate only) in Queens, New York.

P&W is a party of record in this proceeding. P&W supports the proposed acquisition and control of Conrail by CSX and NS.

Through innovative marketing and haulage agreements with other small railroads in New England, P&W has been able to offer connections to other class 1 carriers. However, for the past twenty five years, the only really viable class 1 connection for P&W in New England has been Conrail and before that Penn Central.

PROVIDENCE AND WORCESTER RAILROAD COMPANY

75 HAMMOND STREET, WORCESTER, MA 01610

P.O. BOX 16551, WORCESTER, MA 01601

TELEPHONE (508) 755-4000



Secretary Williams
August 28, 1997
Page 2

By eliminating the inefficiencies inherent in a CSX-Conrail interchange, the proposed transaction will create competitive, efficient and more direct line rail service between the Southeast and P&W's customers in New England. Moreover, P&W anticipates strong competition between CSX and NS (through its haulage agreement with CP) in serving New England shippers and ports.

P&W has reviewed the verified statement of Howard Rosen regarding anticipated revenue impact and has had an opportunity to discuss the manner in which the anticipated diversions were developed. P&W understands that CSX has filed errata which corrected inadvertent overstatements of diversions as respects P&W. Notwithstanding Mr. Rosen's revised findings of a modest adverse revenue impact, P&W expects that the efficiencies, service improvements and improved pricing which should result from the acquisition will lead to new market opportunities, particularly with respect to competition with trucks.

The I-95 corridor from New York to Boston is heavily congested with cars and trucks. Efficient cost effective single line rail service in this corridor should result in greater rail utilization by New England manufacturers and distributors. As the freight provider on the Northeast Corridor between New Haven, Connecticut and the Rhode Island/Massachusetts state line, a distance of approximately 120 miles, P&W expects to participate in this growth opportunity.

Sincerely,

Orville R. Harrold
President

ORH:ws

STB

FD

33388

8-21-97

J

BUSINESS

StatesRail

7557 Rambler Road
Suite 280
Dallas, TX 75231

Michael A. Haeg
Vice President - Marketing &
Business Development

Phone: (214) 691-2572
Fax: (214) 691-2582



August 20, 1997

Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

VERIFIED STATEMENT

Re: Proposed CSX/NS Conrail Transaction – STB Finance Docket No. 33388

Dear Secretary Williams:

My name is Michael A. Haeg, and I am Vice President – Marketing & Business Development of StatesRail, the Holding Company of the Eastern Alabama Railway. As Vice President – Marketing & Business Development, I am responsible for all routing, ratemaking and other commercial issues.

The Eastern Alabama Railway is a short line rail carrier, which operates 25 miles of rail line between Sylacauga and Talladega in the State of Alabama. We handle about 1,200 inbound and 8,000 outbound carloads during a typical year, and our primary commodities are fertilizer, calcium carbonate, crushed marble and limestone. In addition to me, we have 17 employees and five locomotives. Our railroad connects with CSX at Talladega, Alabama, and with the Norfolk Southern Railroad at Sylacauga, Alabama.

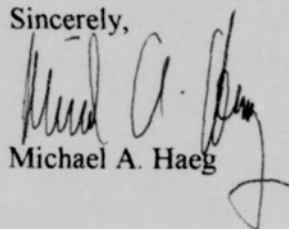
The Eastern Alabama Railway strongly supports the proposed acquisition and control of Conrail by CSX and Norfolk Southern, which is before the Board in the captioned proceeding. We eagerly anticipate the consummation of that transaction since we are confident that it will result in improved car supply and more competitive single line service for our customers to new markets and from new suppliers. With the significantly expanded single line service, which will be available on CSX and Norfolk Southern, our customers should benefit from reduced transit times and more attractive rates to and from the former Conrail territory. The improvements resulting from CSX and the Norfolk Southern expanded single line service and ratemaking should benefit the Eastern Alabama Railway along with CSX and the Norfolk Southern and other short line connections, and those improvements should enable all of us to better compete for traffic which is currently hauled by motor carriers between our stations and stations on the Conrail lines which are being acquired by CSX and Norfolk Southern.

In conclusion, we anticipate that the proposed transaction will benefit the Eastern Alabama Railway, our customers, our employees, and the communities we serve. The Eastern Alabama Railway urges the Board to approve as expeditiously as possible the proposed acquisition and control of Conrail by CSX and Norfolk Southern.

I, Michael A. Haeg, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this verified statement on behalf of Eastern Alabama Railway.

Executed this 20th day of August 1997.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael A. Haeg", with a stylized flourish at the end.

Michael A. Haeg

STB

FD

33388

8-7-97

J

BUSINESS



PENNSYLVANIA CONFERENCE OF TEAMSTERS

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS

2833 COTTMAN AVENUE • PHILADELPHIA, PENNSYLVANIA 19149 • (215) 335-0100

JOHN P. MORRIS, *President*
ROBERT J. EWANCO, *Secretary-Treasurer*

JOHN J. JACKSON, *Vice President*
WILLIAM D. GROSS, *Recording Secretary*

TRUSTEES
WILLIAM E. LICKERT, JR.
PAUL CARDULLO

DIRECTORS

DOUGLAS H. CAMPBELL, JR.
DONALD E. DEIVERT
RONALD KISTLER
JOHN LAIGAIE
JOHN E. MATTY, JR.
RONALD MILLER
JOSEPH A. MOLINERO
JOSEPH YEOMAN

215-335-0100
August 6, 1997

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001



RE: Finance Docket No. 33388

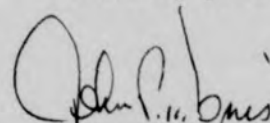
LOCAL 8 State College
LOCAL 12 Fogelsville
LOCAL 30 Jeannette
LOCAL 77 Philadelphia
LOCAL 107 Philadelphia
LOCAL 110 Ebensburg
LOCAL 115 Philadelphia
LOCAL 169 Philadelphia
LOCAL 205 Pittsburgh
LOCAL 211 Pittsburgh
LOCAL 229 Scranton
LOCAL 249 Pittsburgh
LOCAL 250 Pittsburgh
LOCAL 261 New Castle
LOCAL 273 Pittsburgh
LOCAL 312 Chester
LOCAL 326 Wilmington
LOCAL 331 Atlantic City
LOCAL 341 Pittsburgh
LOCAL 384 Norristown
LOCAL 397 Erie
LOCAL 401 Wilkes-Barre
LOCAL 429 Reading
LOCAL 430 York
LOCAL 463 Philadelphia
LOCAL 470 Philadelphia
LOCAL 485 Pittsburgh
LOCAL 491 Uniontown
LOCAL 500 Philadelphia
LOCAL 502 Philadelphia
LOCAL 538 Worthington
LOCAL 585 Washington
LOCAL 623 Philadelphia
LOCAL 628 Philadelphia
LOCAL 636 Pittsburgh
LOCAL 676 Camden
LOCAL 764 Milton
LOCAL 771 Lancaster
LOCAL 773 Allentown
LOCAL 776 Harrisburg
LOCAL 830 Philadelphia
LOCAL 837 Philadelphia
LOCAL 872 Charleroi
LOCAL 926 Pittsburgh
LOCAL 929 Philadelphia
LOCAL 1414 Philadelphia

Dear Mr. Williams:

Enclosed for filing on behalf of the Pennsylvania Conference of Teamsters ("PCT") are an original and 20 copies of the PCT's Notice of Intent to Participate in the above- referenced proceeding. This document is designated as PCT-1.

I also enclose a disk containing the IBT's Notice of Intent to Participate in ASCII format. Finally, I enclose an extra copy of this filing, which I ask you date-stamp as received and return to us via our messenger.

Sincerely yours,


John P. Morris
President
Pennsylvania Conference
of Teamsters

STB

FD

33388

8-7-97

J

LAW

OPPENHEIMER WOLFF & DONNELLY

Two Prudential Plaza
45th Floor
180 North Stetson Avenue
Chicago, IL 60601-6710

(312) 616-1800
FAX (312) 616-5800

Thomas J. Litwiler
(312) 616-5861

August 6, 1997



Brussels

Chicago

Minneapolis

New York

Paris

Saint Paul

Washington, D.C.

VIA FACSIMILE AND FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Room 700
Washington, DC 20423-0001

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

Dear Secretary Williams:

I am one of the counsel for the several parties listed below who intend to participate in the above-captioned proceeding. Pursuant to Decision Nos. 6 and 12 herein, notices of intent to participate are due tomorrow, August 7, 1997. This evening, at approximately 8:00 P.M. CDT, I attempted to drop off notices of intent for each of the parties below at the Federal Express office in my firm's building for delivery to the Board tomorrow. Although that office is open until 9:00 P.M. nightly, this evening a sign indicated that the office had reached its "maximum package capacity" and my packages were refused. I subsequently visited three other Federal Express offices in the Chicago Loop, each time with the same result. At the fourth office, I was informed that packages were not being accepted at any downtown Federal Express locations, apparently because of increased volume resulting from the work stop United Parcel Service.

The notice of intent filings which are affected by this delay and which will not be delivered to the Board until Friday, August 8, 1997 are in the names of the following parties.

- 1) Transtar, Inc. and Bessemer and Lake Erie Railroad Company (BLE-2)
- 2) Transtar, Inc. and Elgin, Joliet and Eastern Railroad Company (EJE-2)

OPPENHEIMER WOLFF & DONNELLY

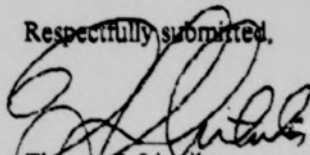
Mr. Vernon A. Williams
August 6, 1997
Page 2

- 3) Illinois Central Railroad Company, Chicago, Central & Pacific Railroad Company and Cedar River Railroad Company (IC-1)
- 4) Wisconsin Central Transportation Corporation, Wisconsin Central Ltd., Fox Valley & Western Ltd. and Sault Ste. Marie Bridge Company (WC-1)
- 5) The R.J. Corman Railroad Companies (RJC-1)

The Board's regulations provide that filings will be accepted as timely if they are "received by [a] private express mail carrier at least one day prior to the due date" 49 C.F.R. § 1104.6. Technically, this provision is not applicable here, even though delivery was attempted, because Federal Express refused to accept the filings and thus they were not "received" as specified in the regulation. Under the circumstances, I would respectfully request that the Board grant whatever waiver or extension would be necessary to accept the above-listed pleadings as timely-filed.

The original and twenty-five copies of this letter will be forwarded to the Board via Federal Express (!). Copies also have been provided to counsel for Primary Applicants via facsimile and U S Mail. I appreciate any consideration the Board can give to this request, and deeply regret any inconvenience to the Board and other parties.

Respectfully submitted,



Thomas J. Litwiler

TJL:tl

cc: Dennis G. Lyons, Esq.
Richard A. Allen, Esq.
Paul A. Cunningham, Esq.

STB

FD

33388

8-7-97

J

BUSINESS

SURFACE TRANSPORTATION BOARD
UNITED STATES OF AMERICA



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 Line by Norfolk Southern Railway
Company To CSX Transportation Inc.

STB Finance Docket No. 33388

NOTICE OF INTENT

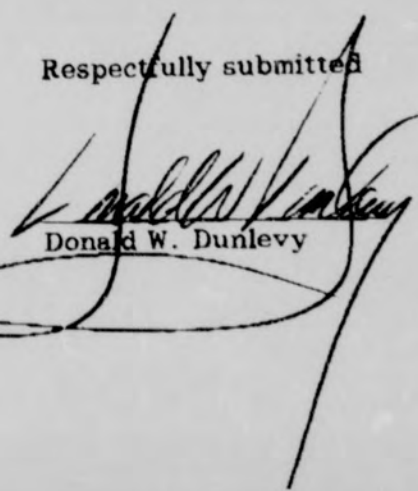
Filed on behalf of:
Pennsylvania State Legislative Board
United Transportation Union
Donald W. Dunlevy, Director
230 State Street, 2nd Floor
Harrisburg, PA 17101
Phone: (717) 234-2475
Fax: (717) 234-4375

NOTICE OF INTENT TO PARTICIPATE

Please enter the appearance of the undersigned Donald W. Dunlevy on behalf of the Pennsylvania State Legislative Board, United Transportation Union, who intends to participate and become a party of record in this proceeding. Pursuant to 49 C.F.R. 1104.12, service of all documents filed in this proceeding should be made upon the undersigned.

Respectfully submitted

Date: August 7, 1997


Donald W. Dunlevy

CERTIFICATE OF SERVICE

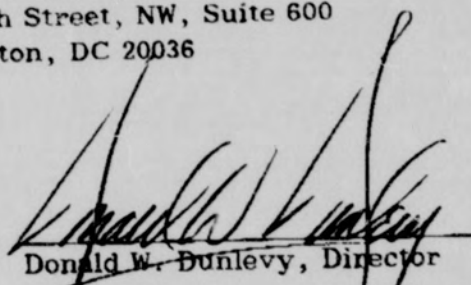
I hereby certify that on August 7, 1997, a copy of the foregoing Notice of Intent to participate was served by first-class, U. S. mail, postage prepaid upon the following.

John V. Edwards
Patricia E. Bruce
Zuckert, Scoutt & Rasenberger, LLP
888 17th Street, N.W., Suite 600
Washington, DC 20006

Drew A. Harker
Christopher P. Datz
Susan B. Cassidy
Arnold & Porter
555 12th Street, NW
Washington, DC 20004

David H. Coburn
Steptoe & Johnson
1330 Connecticut Avenue, NW
Washington, DC 20036

Gerald P. Norton
Harkins Cunningham
1300 19th Street, NW, Suite 600
Washington, DC 20036



Donald W. Dunlevy, Director

Central Indiana & Western Railroad Co.

P.O. Box 456
Lapel, Indiana 46051

317-534-3398
317-546-4303

July 7, 1997



Secretary
SURFACE TRANSPORTATION BOARD
1925 K Street, N.W.
Washington, D.C. 20423

RE: STB Docket No. 33388
Acquisition of Conrail by Norfolk Southern & CSXT

Dear Sir:

The undersigned hereby notifies you of my intent to participate in the above proceeding.

Mark A. Brown

Mark A. Brown, General Manager

CENTRAL INDIANA & WESTERN R.R. CO.
P.O. Box 456
Lapel, IN 46051
(317) 547-2806

STB9704 DOC



MEMBER



**General Mills
General Offices**

Post Office Box 1113
Minneapolis, Minnesota 55440



Vernon Williams
Secretary Office
Surface Transportation Board
Room 700
1925 K Street NW
Washington DC 20423

Re: STB Finance Docket No. 33388 (CSX/NS acquisition of Conrail)

8/6/97

Dear Mr. Williams,

This letter is notice of intent to participate in the above proceeding by General Mills Operations, Inc. Primary area of concern and comments pertain to the Buffalo/Niagara New York Area and level of switching charges.

I understand the requirements of a Party of Record and will be submitting written comments prior to the October 21st deadline.

Sincerely,

Leo J. Wasescha
Transportation Manager
Gold Medal Division
General Mills Operations, Inc.
P.O.Box 1113
Minneapolis, Mn 55440

cc: SB



Central Indiana & Western Railroad Co.

P.O. Box 456
Lapel, Indiana 46051

317-534-3398
317-546-4303

July 7, 1997

Secretary
SURFACE TRANSPORTATION BOARD
1925 K Street, N.W.
Washington, D.C. 20423



RE: STB Docket No. 33388
Acquisition of Conrail by Norfolk Southern & CSXT

Dear Sir:

The undersigned hereby notifies you of my intent to participate in the above proceeding.

Mark A. Brown

Mark A. Brown, General Manager

CENTRAL INDIANA & WESTERN R.R. CO.
P.O. Box 456
Lapel, IN 46051
(317) 547-2806

STB9704.DOC



MEMBER

Heinz Service Company



Affiliate of H. J. Heinz Company

2600 Liberty Avenue, 2nd Floor
Pittsburgh, Pennsylvania 15222-4660
Telephone: 412 497 3200
FAX: 412 497 3377

August 6, 1997

Vernon A. Williams
Secretary
Surface Transportation Board
STB Finance Docket No. 33388
1925 K Street, N.W.
Washington, DC 20423-0001



RE: CSX Corporation and CSX Transportation, Inc.; Norfolk Southern Corporation and Norfolk Southern Railway Company - Control and Operating Leases/Agreement - Conrail, Inc., and Consolidated Rail Corporation, STB Finance Docket No. 33388

Dear Mr. Williams:

I am Gary Palmer, General Manager, Transportation, for the Heinz Service Company, 1062 Progress Street, Pittsburgh, PA 15212. My business telephone number is (412) 442-6216. I am responsible for managing the transportation activities of Heinz USA, a Division of H. J. Heinz Company. This management function includes directly negotiating rate and service agreements with all transportation mode vendors (rail, intermodal, motor, ocean and air freight), controlling the daily load tendering operations with these vendors, monitoring vendor service performance, and performing strategic logistics analyses to secure cost and service improvement opportunities.

Heinz USA is a manufacturer and shipper of multiple food products (ketchup, soup, pickles, sauces, condiments, vinegar, etc.), as well as a receiver of raw materials, ingredients, packaging, etc. Heinz USA has facilities located in Fremont, OH; Holland, MI; Pittsburgh, PA; Toledo, OH; Mechanicsburg, PA; Greenville, SC and Jacksonville, FL, and utilizes a combination of rail, piggyback and motor to service our customers out of these locations. These facilities are located on the lines of CSX, Consolidated Rail and the Norfolk Southern. During our Fiscal Year 1997 (May 1996 through April 1997), we shipped/received 2,094 carloads and 4,091 intermodal containers to and from these origins/destinations. We utilize RBL insulated railcars with bulkhead doors and various intermodal equipment types (45' and 48' trailers and containers).

We support the approval of the transaction by which CSX and Norfolk Southern will acquire control of Conrail, and then divide the assets and trackage of Conrail in the manner which has been described to me, and which will be described in the joint application of CSX and NS to control Conrail.

There is a distinct need for two competing railroads in the Northeast which own their own track and facilities. For too long, customers which ship or receive product into and out of the Northeast have had the service of only one rail carrier. As is the case when only one company is able to operate in a particular market, service suffers and the price is non-competitive. While there may have been an historical reason for insulating northwestern railroading from competition, that time is past, and it is time for customers interested in this market to have service by more than one rail carrier which owns its facilities. These rail carriers must be comparable in terms of their size, scope and ability to provide a competitive service. From what I understand of railroad operations, I believe that in the 1990s, two carriers of relatively equal size and scope provide the greatest opportunities for seamless service, efficient equipment utilization and seamless synergies. Both the CSX and Norfolk Southern have presented arguments for beneficial rates as a result of operational cost savings from improved equipment and manpower utilization. I am relying on these propositions as a key factor in supporting the approval of this transaction.

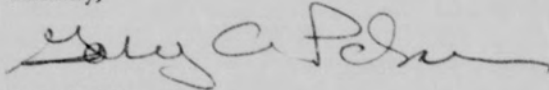
In addition, we are looking forward to experiencing not only the change from being served by one rail carrier increasing to two, but also the greatly expanded market reach which single line service by NS and CSX will offer. An extensive addition of single line rail service will allow us to provide increased market penetration to areas in which we have been unable to compete adequately. We foresee improved equipment utilization through better, more-direct, and faster service, reduced truck traffic on major interstate lanes. A single-line service has fewer interchanges, and therefore, is fewer opportunities for damage to lading or spills.

The Norfolk Southern has demonstrated themselves to be an efficient and economically viable railroad; therefore, well-positioned to provide the needed capital investment to maintain and improve service. NS has a history of working with customers through their industrial development efforts to facilitate plant construction and expansion. They also are able, due to the availability of their National Customer Service Center, to resolve customer queries about a shipment with one call.

To summarize, we believe that approval of the joint application of NS and CSX to acquire Conrail should be approved by the STB.

I, Gary A. Palmer, declare under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this verified statement. Executed on August 6, 1997.

Sincerely,



Gary A. Palmer
General Manager, Transportation
Heinz Service Company

/tlr

cc: H. Mallard - Ore-Ida
R. Murphy - Star-Kist



Transport Workers Union of America

Affiliated with American Federation of Labor and Congress of Industrial Organizations

80 WEST END AVENUE • NEW YORK, N.Y. 10023 • PHONE: 212 873-6000 • FAX: 212 721-1431

MATTHEW GUINAN
Int'l President Emeritus

GEORGE E. LEITZ
Int'l President Emeritus

SONNY HALL
International President

FRANK McCANN
Int'l Exec. Vice President

JOHN J. KERRIGAN
Int'l Secretary-Treasurer

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AL MAYES
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RICHARD PLOCINSKI
JAMES ROSS
MARSHA SPINOWITZ

August 6, 1997

Ms. Linda J. Morgan
Chairman
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

**Re: CSX-NS-ConRail
Railroad Control Transaction
Finance Docket No. 33388**

Dear Chairman Morgan:

The Transport Workers Union of America, AFL-CIO ("TWU") which represents some 1400 Carmen at ConRail hereby serves notice of its intent to participate in the proceedings in the above manner. TWU was on the original service list in the proceeding.

Until further notice, TWU will be represented in this matter by its General Counsel, David Rosen, Esq., who may be served c/o TWU, 80 West End Avenue, New York, NY 10023.

Very truly yours,

David Rosen

David Rosen
General Counsel

DR:mo

opeiu-153

C:\SHRRD\CONRAIL\CSX-MERG\MORGAN.WPD

STB

FD

33388

8-6-97

J

CITIES

City of Cincinnati



Office of City Solicitor

Date 8/5/97

Room 214, City Hall
801 Plum Street
Cincinnati, Ohio 45202
Phone (513) 352-3334
Fax (513) 352-1515
Direct Dial: (513)

Number of Pages 5
(including this Page)



Fax D. Dupuis
City Solicitor

1033388

TO: 1- SECRETARY - STB
2- JULIA FARR

Phone () _____
Fax () 202-565-9008
202-565-9008

FROM: WILLIAM ROTTNER
CHIEF COUNSEL, CITY OF CINCINNATI
LAW DEPT

Phone (513) 352-3620 Fax (513) 352-1515

COMMENTS: THE ORIGINAL AND 25 COPIES OF THE ENCLOSED
NOTICE AND CERTIFICATE OF SERVICE WAS SENT TO YOU
BY FED-EX THIS MORNING. I HAVE ALSO SENT THIS
VIA FAX BECAUSE FED-EX WILL NOT GUARANTEE DELIVERY
BY 8/7 BECAUSE OF THE UPS STRIKE.

THANK YOU

WR

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 --
TRANSFER OF RAILROAD LINE BY NORFOLK SOUTHERN RAILWAY COMPANY TO
CSX TRANSPORTATION, INC.

**NOTICE OF INTENT OF
THE CITY OF CINCINNATI TO
PARTICIPATE IN PROCEEDING**

Fay D. Dupuis
City Solicitor
City of Cincinnati
Room 214, City Hall
801 Plum Street
Cincinnati, OH 45202
513-352-3334

BEFORE THE
SURFACE TRANSPORTATION BOARD

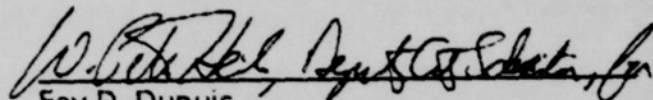
Finance Docket No. 33388

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 --
TRANSFER OF RAILROAD LINE BY NORFOLK SOUTHERN RAILWAY COMPANY TO
CSX TRANSPORTATION, INC.

**NOTICE OF INTENT OF
THE CITY OF CINCINNATI TO
PARTICIPATE IN PROCEEDING**

Pursuant to Decision No. 6 herein, served by the Surface Transportation Board on May 30, 1997, the City of Cincinnati (the "City") hereby provides notice to the Surface Transportation Board and Primary Applicants of its intent to participate as a party of record in this proceeding. The City is a municipal corporation in the State of Ohio. Accordingly, please place the named attorney, at the address provided, on the service list to receive all pleadings and decisions in this proceeding.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Fay D. Dupuis", is written over a horizontal line.

Fay D. Dupuis
City Solicitor
City of Cincinnati
Room 214, City Hall
801 Plum Street
Cincinnati, Ohio 45202
513-352-3334

Dated: August 5, 1997

CERTIFICATE OF SERVICE

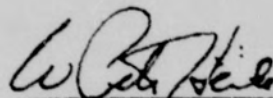
I hereby certify that on this 5th day of August, 1997, a copy of the foregoing Notice of Intent to Participate was served upon the following people by first class mail, postage prepaid:

Judge Jacob Leventhal
Administrative Law Judge
Federal Energy Regulatory Commission
888 First Street, N.E., Suite 11 F
Washington, D.C. 20426

Donald G. Lyons
Arnold & Porter
555 12th Street, N.W.
Washington, D.C. 20004-1202

Richard A. Allen
Zuckert, Scoutt & Rasenberger, L.L.P.
888 Seventeenth Street, N.W., Suite 600
Washington, D.C. 20006-3939

Paul A. Cunningham
Harkins Cunningham
1300 Nineteenth Street, N.W., Suite 600
Washington, D.C. 20036



Fay D. Dupuis
City Solicitor
City of Cincinnati
Room 214, City Hall
801 Plum Street
Cincinnati, Ohio 45202
513-352-3334

**FAX**

South Western Regional Planning Agency
One Selleck Street Suite #210, East Norwalk, CT 06855
(203) 866-5543

FAX # (203) 866-6502

FAX (202) 565-9003

TO: Hon. Vernon A. Williams, Secretary, STB

FROM: Richard C. Carpenter, Executive Director

DATE: August 5, 1997

PAGE: 1 OF 3 (INCLUDING THIS COVER PAGE)

FD 33388

NOTES:

Due to the possibility of shipping/mailling
delay, we are faxing a copy of our letter
requesting inclusion as a party of
Record in Finance Docket 33388. The
original and 25 copies were mailed by
Fed EX this day. *Richard Carpenter*

This message is intended for the use of the individual to whom it is addressed. It may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to use at the above address via mail. Thank you.

NOTE: Please notify sender at once if all pages are not received. **THANK YOU!**

TRANSMITTED:

SOUTH WESTERN REGIONAL PLANNING AGENCY

DARIEN GREENWICH NEW CANAAN NORWALK STAMFORD WESTON WESTPORT WILTON
1 SELLECK STREET, SUITE 210, EAST NORWALK, CT 06855 TEL: (203) 866-5543 FAX: (203) 866-6502

SWRPA - 1

August 5, 1997



Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

RE: STB Railroad Control Application - Finance Docket No. 33388
(CSX Corporation et al)

Dear Mr. Williams:

We wish to be a party of record and to be included on the service list for the above-cited docket.

The South Western Regional Planning Agency and the South Western Region Metropolitan Planning Organization are deeply interested in the plans of CSXT and Norfolk Southern Railroads for the division of Conrail.

We may be contacted at the above address or by telephone at (203) 866-5543. Material should be addressed to:

Richard C. Carpenter
Executive Director
South Western Regional Planning Agency
One Selleck Street, Suite 210
East Norwalk, CT 06855-1106

We certify that we have furnished a copy of this request to the following parties:

Judge Jacob Leventhal
Administrative Law Judge
Federal Energy Regulatory Commission
888 First Street, NE, Suite 11-F
Washington, DC 20426

Dennis G. Lyons
Arnold & Porter
555 12th Street, NW
Washington, CD 20004-1202

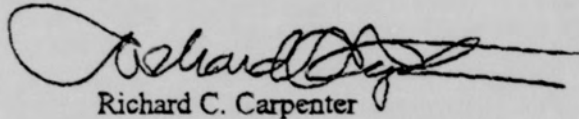
Hon. Vernon A. Williams
August 5, 1997
Page 2

Richard A. Allen
Zuckert, Scoutt & Rasenberger, LLP
888 Seventeenth Street, NW
Washington DC 20006-3939

Paul A. Cunningham
Harkins Cunningham
1300 Nineteenth Street, NW, Suite 600
Washington, DC 20036

We are enclosing 25 copies with this original letter, as required under the procedures, and have transmitted a copy by fax to the STB at (202) 565-9003.

Respectfully submitted,

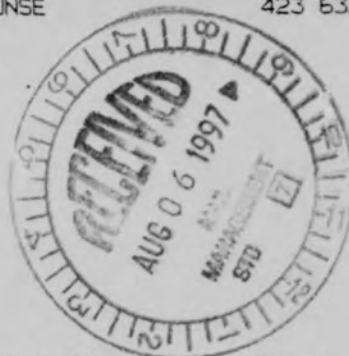


Richard C. Carpenter
Executive Director

RCC:pp

Enclosures

File: B:\wrkg6stbrld.

**FAX COVER****Send To:**Name: The Honorable Vernon A. Williams Phone: 202-565-1851Company: Secretary, Surface Transportation BoardAddress: Case Control Branch, Attention: STB Finance Docket No. 33388,
1925 K Street, N.W., Washington, D.C.Date: 8-5-97 Number of pages: 4Fax Number: 202-565-9003 Verification Number: _____Subject: 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 - Finance Docket No. 33388**From: Tennessee Valley Authority**Name: William L. Osteen Phone: (423) 632-4142Organization: Associate General CounselAddress: 400 W. Summit Hill Drive, ET 10A-K, Knoxville, TN 37902-1499Fax Number: (423) 632-2422Verification Number: (423) 632-4142Special Instructions: _____

PLEASE NOTE: This communication may contain privileged information, proprietary information, or attorney work-product. Any use, dissemination, distribution, or copy of this communication other than by the intended recipient is prohibited. If you feel that you may have received this document in error, please telephone the verification number, collect, to discuss arrangements for the return of this information. It is not the intention of the Tennessee Valley Authority to waive the attorney-client privilege, the attorney work-product doctrine, or any proprietary rights in the information contained on the following pages.

Important! If you do not receive all pages, call us back immediately!



Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902

Edward S. Christenbury
General Counsel

August 5, 1997



VIA FACSIMILE AND OVERNIGHT MESSENGER

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Case Control Branch
Attention: STB Finance Docket No. 33388
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: *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 - Finance Docket No. 33388*

Dear Secretary Williams:

Enclosed for filing in the above-referenced proceeding are an original and 25 copies of the Notice of Intent to Participate of the Tennessee Valley Authority. Also enclosed is a 3.5 inch diskette containing the text of the filing in WordPerfect 7.0 format.

Respectfully submitted,

Edward S. Christenbury

Enclosures

TVA-1

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 33388

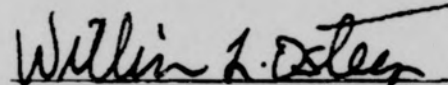
**CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
--CONTROL AND OPERATING LEASES / AGREEMENTS--
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION**

NOTICE OF INTENT TO PARTICIPATE

Tennessee Valley Authority ("TVA") hereby notifies the Board that it intends to participate in the above-referenced proceeding. Service may be made on the undersigned counsel. TVA adopts the abbreviation "TVA" for identifying its pleadings.

Respectfully submitted,

Edward S. Christenbury
General Counsel



William L. Osteen
Associate General Counsel

Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499
Telephone No. (423) 632-7304
Facsimile No. (423) 632-2422

Attorneys for Tennessee Valley Authority

TVA-1

**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**

CERTIFICATE OF SERVICE

I hereby certify that I have served this 5th day of August, 1997, a copy of the foregoing "Notice of Intent to Participate" by first-class mail, postage prepaid, or by more expeditious means, upon each of the following parties of record:

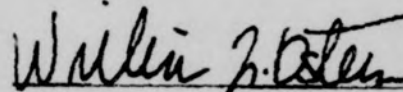
Office of the Secretary
Case Control Branch
Attention: STB Finance Docket No. 33388
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Richard A. Allen, Esq.
Zuckert, Scoutt & Rasenberger, L.L.P.
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Paul A. Cunningham, Esq.
Harkins Cunningham
Suite 600
1300 Nineteenth Street, N.W.
Washington, D.C. 20036

The Honorable Jacob Leventhal
Administrative Law Judge
Federal Energy Regulatory Commission
Office of Hearings, Suite 11F
888 First Street, N.E.
Washington, D.C. 20426

Dennis G. Lyons, Esq.
Arnold & Porter
555 Twelfth Street, N.W.
Washington, D.C. 20004-1206



William L. Osteen

STB

FD

33388

8-6-97

J

BUSINESS



PENNSYLVANIA ANTHRACITE COUNCIL

P.O. Box 138
Pottsville, PA 17901
Phone (717) 622-6843
FAX: (717) 622-2612

August 2, 1997



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

RE: FINANCE DOC. #33388

Dear Mr. Williams:

On behalf of Pennsylvania's Anthracite industry and the more than 2,000 people it employs, I am writing to present these comments to the Surface Transportation Board regarding the purchase of Conrail by CSX and Norfolk Southern.

Background Anthracite, commonly known as "hard coal" has been commercially mined and prepared in the Northeastern Region of Pennsylvania for more than 150 years. Most Anthracite reserves are found in the five counties of Schuylkill, Carbon, Northumberland, Lakawanna and Luzerne.

Anthracite is a naturally high carbon, clean burning solid fuel with a typical sulfur content of less than .7% and volatile matter of just 4% to 6%. In fact, Anthracite is the cleanest burning solid fuel on the commercial market today. Its uses range from residential and commercial heating, to industrial carbon and water filtration media. Like all other sources of energy, its heat value is measured in British Thermal Units (BTUs). There are about 25 million BTUs per ton of Anthracite.

Anthracite mining and usage has a long history in America. It helped fuel the industrial revolution at the turn of the century and to meet the tremendous energy and production demands of two world wars. At its peak in 1915, the Anthracite industry employed over 177,000 miners and produced over 89 million tons of coal.

Today, the industry still employs more than 2,100 people at an average wage of over \$30,000 per year plus benefits and overall contributes more than \$250 million to the region and state economy. In 1995, the Anthracite industry mined 2.9 million tons of hard coal and reclaimed over 8,750,000 tons of refuse and bank material.

Mr. Vernon Williams, Secretary
Finance Doc. #33388
July 28, 1997
Page 2

In addition to creating jobs and revenue, Anthracite mining also provides the added benefit of cleaning the region's surface and sub-surface water systems. Nearly all mining being done in the Anthracite region is the re-mining of coal left behind in previously mined areas. Anthracite mining operators are actually reducing acid mine drainage and reclaiming the environment by mining from the surface and "daylighting" old abandoned deep mines and closing them off. They then reclaim the landscape by backfilling and re-seeding the affected area reclaiming it for other uses. They do this as a part of their normal business operation.

Most of our product is shipped by rail to markets outside the region in the Mid-West, South and Canada. In fact, over the past five years, Anthracite rail shipments have nearly doubled from 3,921 cars in 1991 to 7,317 in 1996. This represents over \$45 million in annual mining and preparation production. In addition, the increase in coal shipments has also in turn contributed to significant growth in other products being shipped by rail. Our local short line carrier, the Reading, Blue Mountain & Northern Railroad (Reading & Northern) has reported an overall increase from 5,000 to 12,000 rail cars during the same five year period.

The Anthracite region is primarily serviced by the short line Reading and Northern Railroad. The coal is carried to various loading sites within the region and transported by the Reading and Northern to a Conrail connection located in Reading, PA. The coal is then shipped from Reading to Harrisburg and then on to Baltimore or other destinations.

Concern In order to meet the demand for Anthracite, many operators have invested millions of dollars in new mining equipment and worker training. As an industry, we are concerned about the break up of Conrail and its impact on our ability to get our product to market in an efficient and cost effective manner.

It is imperative that one railroad company own the rail line from Reading to Harrisburg and from Harrisburg to Baltimore. Currently, regional coal producers transport 400,000 tons of Anthracite annually to Quebec Iron and Titanium (QIT) in Quebec, Canada on this rail corridor. Single ownership of this line is essential to keep transportation costs stabilized. From the details related to date on the merger, it appears that Norfolk Southern will become the owner of the Reading to Harrisburg to Baltimore line. We urge you and the Federal Surface Transportation Board to work to ensure a single line ownership of this important shipping route.

Mr. Vernon Williams, Secretary
Finance Doc. #33388
July 28, 1997
Page 3

Also, in the past, Conrail has been our industry's only Class I rail service carrier. And under the current plan, it does not appear that will change as Norfolk Southern purchases the trackage currently operated by Conrail. Therefore, in the spirit of true competition, we feel that the Reading & Northern Railroad should be given the opportunity to purchase or acquire interchange points with other Class I Railroads, i.e. Canadian Pacific and CSX.

Recommendation There exists in Taylor, Pennsylvania a direct linkage between the short line Reading and Northern Railroad and the Canadian Pacific Railroad. The linkage is on Reading & Northern property. However, by deed restriction with Conrail can only be used if the shipper is willing to pay a substantial penalty. This penalty has made it cost prohibitive to make the transfer from the Reading and Northern onto the Canadian Pacific.

If Anthracite shippers are able to have access to this connection in a more cost effective and competitive manner, this will give shippers a choice between two Class I railroad carriers and allow them to ship their product directly into Canada and all points going west avoiding many costly handling stops along the way. For example: In 1995, Conrail was charging one Anthracite producer \$77.55 per ton to ship its product to Alta Steel in Edmondton, Canada. At that rate, the company found it cheaper to truck its product overland 50 miles south to Allentown, Pennsylvania to a Canadian Pacific loading site and ship on the C&P. In response, Conrail lowered its price \$22 per ton to meet this new competition.

Therefore, we believe that any solution that is to be reached in this merger must provide for equitable access to gateways and facilitate broader opportunities to market our coal. Clearly, any solution that allows Anthracite producers access to the Canadian and Pacific railroad and any other Class I railroad like C in the best interest of the Anthracite industry, the region and Pennsylvania.

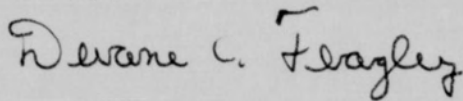
Finally, I must emphasize that this may be the only opportunity we have in Northeastern Pennsylvania to ever have true competition with our rail carriers. After this merger is complete, There will only be five (5) Class I railroads left in the United States. We may never have this opportunity again to ensure fair competition.

Mr. Vernon A. Williams, Secretary
Finance Doc. #33388
July 28, 1997
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We urge your efforts and support to assure that Northeastern Pennsylvania and all its industries has the opportunity to have a competitive choice in shipping their products to the market place.

Thank you for your time and attention to our request. If you have any further questions on this matter, please feel free to give me a call.

Sincerely yours,

A handwritten signature in cursive script that reads "Duane C. Feagley". The signature is written in dark ink and is positioned above the printed name and title.

Duane C. Feagley
Executive Director