

Public & Media Advisory: Surface Transportation Board Provides Schedule of Appearances, Time Allocations & Instructions for Public & Media Attendance at Sept. 10 Oral Argument in "Duke Energy v. CSX" Rail Rate-Complaint Case

Surface Transportation Board (Board) Chairman Roger Nober today provided a schedule of speakers' appearances, and instructions for public and media attendance, at the Board's **September 10, 2003** public hearing concerning the railroad rate-complaint case entitled *Duke Energy Corporation v. CSX Transportation, Inc.*, STB Docket No. 42070.

The Board will hold the **September 10** oral argument **beginning at 10:00 a.m. EDT in the Board's hearing room on the 7th Floor of the Mercury Building, 1925 K Street, N.W.** (on the northeast corner of the intersection of 20th & K Sts.), **Washington, D.C.**

MATTER AT ISSUE:

The Board is holding the September 10 oral argument to allow the two parties in this rate-complaint proceeding, the Duke Energy Corporation ("Duke") and CSX Transportation, Inc. ("CSX"), to present their positions in a public forum. At issue is Duke's complaint challenging the reasonableness of the rates charged by CSX for movements of coal from various mine origins in Virginia, West Virginia, and Kentucky to Duke's electricity-generating plants located in North Carolina and South Carolina. Duke has asked the Board to prescribe the maximum reasonable rates that CSX may charge for this traffic.

INSTRUCTIONS FOR PUBLIC AND MEDIA ATTENDANCE:

- There will be no reserved seating. Given the following procedures, please plan to arrive early enough to be seated no later than **9:45 a.m.**
- Please enter the **Mercury Building's main entrance at 1925 K Street (on the northeast corner of the intersection of 20th and K Sts.)**. **All visitors must be cleared through security in the Board's Suite 100** (on the 1st Floor, at the top of the ramp to the left of the main lobby) **prior to being escorted to the hearing room.**
- For security reasons, be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags, etc.
- Quiet laptops and tape recorders may be brought into the hearing room, but absolutely no provision will be made for the connection of personal computers to Board telephone lines.
- Cellular telephone use is not permitted in the hearing room, or in the rear anteroom. Cellular phones may only be used outside the hearing room.
- The Board's hearing room complies with the Americans With Disabilities Act, and persons needing such accommodation should contact **Beverly Ledbetter, in the Board's Section of Facilities Management, at (202) 565-1709, by the close of business on Tuesday, September 9, 2003.**

SCHEDULE OF APPEARANCES

The attached schedule identifies Duke's and CSX's speakers and their order of appearance.

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ATTACHMENT

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Duke Energy Corporation v. CSX Transportation, Inc., STB Docket No. 42070

SCHEDULE OF APPEARANCES

Each speaker in the September 10, 2003 oral argument in the above proceeding will be allotted 45 minutes. William L. Slover, the speaker for the Duke Energy Corporation, will open the oral argument and may reserve part of his time for rebuttal, if he chooses. G. Paul Moates will speak for CSX Transportation, Inc.

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