

Public & Media Advisory: Surface Transportation Board Provides Schedule of Appearances, Time Allocations & Attendance Instructions for May 3 Hearing in "Conrail Merger" Oversight Proceeding

Surface Transportation Board Chairman Roger Nober today provided a schedule of speakers' appearances, their time allocations, and instructions for public and media attendance at the STB's **May 3, 2004** public hearing concerning the agency's oversight of the "Conrail merger" approved by the agency in July 1998. The hearing will be held in the case entitled *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*, STB Finance Docket No. 33388 (Sub-No. 91), and will address all aspects of the merger other than the "Shared Asset Areas" that were created in the merger and that were the subject of a hearing held on April 2, 2004.

The STB will hold the **Monday, May 3** public hearing **beginning at 10:00 a.m. in the agency's Hearing Room on the 7th Floor of the Mercury Building, 1925 K Street, N.W.** (at the intersection of 20th & K Sts.), **Washington, D.C.**

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.** STB staff will begin **admitting people to the Hearing Room at 9:00 a.m.**
- Please enter the **Mercury Building's K Street entrance. All visitors must be cleared through security in the STB's Suite 100** (on the main corridor of the 1st Floor) **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 no provision will be made for the connection of personal computers.
- Cellular telephone use is not permitted in the hearing room. Cellular phones may only be used outside the hearing room and anteroom.
- The STB's hearing room complies with the Americans With Disabilities Act, and persons needing such accommodation should contact the agency's Office of Proceedings at **(202) 565-1618, by noon on Thursday, April 29, 2004.**
- If a party wishes to enhance its presentation by using projector-adaptable visual displays and/or handouts, it may do so. STB staff will be available to demonstrate the Hearing Room's projection system on **Friday, April 30, 2004, from 2:00-4:00 p.m.** Please **telephone (202) 565-1618** to make arrangements.

SCHEDULE OF APPEARANCES

The schedule of speakers' appearances and time allocations (subject to slight change as the situation warrants) issued today, April 26, 2004, in "Decision No. 16" in STB Finance Docket No. 33388 (Sub-No. 91), is attached. The STB requests that speakers not orally present written submissions filed earlier but, rather, briefly summarize those submissions, augment their content as seen fit, and be prepared to answer questions.

[Decision No. 16 in STB Finance Docket No. 33388 \(Sub-No. 91\)](http://www.stb.dot.gov) is available for viewing and downloading via the STB's Web site at <http://www.stb.dot.gov>. Printed copies of the agency's decisions also are available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (301) 577-2600**, or via asapmd@verizon.net. A fact sheet is attached.

ATTACHMENTS (2)

ATTACHMENT

SURFACE TRANSPORTATION BOARD MAY 3, 2004 PUBLIC HEARING

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, STB Finance Docket No. 33388 (Sub-No. 91)

SCHEDULE OF APPEARANCES

PARTY / TIME ALLOTTED

Panel I

CSX Corporation and CSX Transportation, Inc.(collectively CSX), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively NS) / 45 minutes

Speakers: Michael J. Ward on behalf of CSX, and David R. Goode on behalf of NS

Panel II

U.S. Department of Transportation / 5 minutes

Speaker: Paul Samuel Smith, Senior Trial Attorney

The Cities of East Chicago, Hammond, Gary and Whiting, Indiana (The Four City Consortium) /15 minutes

Speaker: The Honorable Scott L. King, Mayor of the City of Gary

Commonwealth of Pennsylvania (Department of Community and Economic Development) / 10 minutes

Speaker: (will be announced in advance of the hearing)

State of New York, acting by and through the New York State Department of Transportation / 15 minutes

Speaker: (will be announced in advance of the hearing)

Port Authority of New York and New Jersey / 15 minutes

Speaker: R. Adm. Richard M. Larrabee, U.S.C.G. Ret., Director of Port Commerce

Panel III

American Chemistry Council / 10 minutes

Speaker: (will be announced in advance of the hearing)

Kinder Morgan Liquids Terminals LLC /10 minutes

Speaker: John C. Gallaher

CONSOL Energy / 5 minutes

Speaker: Christopher T. Marsh, General Manager-Transportation

PPL Energy Plus / 5 minutes

Speaker: B. Michael Scanlan, Coal Transportation Manager

Savage Services Corporation / 5 minutes

Speaker: Donald W. Alexander, Senior Vice President-Operations

Panel IV

Cemex, Inc. / 5 minutes

Speaker: Kenneth R. Pramik, Director-Transportation

Clark's Feed Mill / 5 minutes

Speaker: Rob Clark or Dennis Reitz

PA Distribution / 5 minutes

Speaker: Tim Rickenbaugh

A & R Bulk-Pac, Inc. / 5 minutes

Speaker: Avi Ron, President/Jason A. Blinkoff, Director, Sales & Marketing

Panel V

Morristown & Erie Railway, Inc. / 10 minutes

Speaker: Gordon R. Fuller, Chief Operating Officer

SEDA-COG Joint Rail Authority / 10 minutes

Speaker: Jeffrey K. Stover, Executive Director

Anacostia & Pacific Corporation / 10 minutes

Speaker: Peter A. Gilbertson

Wheeling & Lake Erie Railway Company / 10 minutes

Speaker: Larry Parsons, Chairman and Chief Executive Officer

Ohio Central Railroad, Incorporated / 5 minutes

Speaker: William A. Strawn, II, President

FACT SHEET

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, STB Finance Docket No. 33388 (Sub-No. 91)

On July 23, 1998, the STB approved the "Conrail merger," subject to various conditions, including a five-year general oversight condition. The STB established the five-year oversight so that the agency could assess the merger's implementation and the workings of various other of the agency's conditions.

In its [January 21, 2004 "Decision No. 11"](#) in this case, the agency announced that, to allow interested parties an opportunity to express their views on the merger implementation, at least one public hearing would be held prior to June 1, 2004, the fifth anniversary of the merger's consummation. In its [February 12, 2004 "Decision No. 12"](#) in this case, the STB announced that a hearing would be held in Trenton, New Jersey on April 2, 2004, and that a hearing would be held in Washington, D.C. on May 3, 2004.

While the April 2 hearing in Trenton dealt with the three "shared assets areas" (SAAs) created in connection with the merger, the May 3 hearing in Washington will address all aspects of the merger other than the SAAs.

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