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August 26, 2002



**BY HAND DELIVERY**

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

206101

Re: CSX Corp. et al. – Control and Operating Leases/Agreements – Conrail Inc. et al., Finance Docket No. 33388 (Sub-No. 91) (General Oversight)  
**EXPEDITED CONSIDERATION REQUESTED**

Dear Secretary Williams:

Enclosed for filing in the above-referenced proceeding on behalf of CSX Corporation, CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company are the original and 25 copies of CSX/NS-1, CSX's and NS' request for extension of time with respect to the comments of Cargill, Inc. Also enclosed is a 3.5-inch computer disk containing the text of CSX/NS-1 in WordPerfect 5.0 format.

Kindly date-stamp the enclosed additional 4 copies of CSX/NS-1 and return them to our messenger.

Sincerely,

Scott M. Zimmerman

Enclosures

cc: All parties of record

ENTERED  
Office of Proceedings

AUG 26 2002

Part of  
Public Record

**EXPEDITED CONSIDERATION REQUESTED**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**



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**STB FINANCE DOCKET NO. 33388 (SUB-NO. 91)**

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**CSX CORPORATION AND CSX TRANSPORTATION, INC., NORFOLK  
SOUTHERN CORPORATION AND NORFOLK SOUTHERN RAILWAY  
COMPANY — CONTROL AND OPERATING LEASES/AGREEMENTS —  
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION  
(GENERAL OVERSIGHT)**

**REQUEST FOR EXTENSION OF TIME  
WITH RESPECT TO THE COMMENTS OF CARGILL, INCORPORATED, OF  
CSX CORPORATION, CSX TRANSPORTATION, INC.,  
NORFOLK SOUTHERN CORPORATION AND  
NORFOLK SOUTHERN RAILWAY COMPANY**

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Richard A. Allen  
Scott M. Zimmerman  
**ZUCKERT SCOUTT &  
RASENBERGER, L.L.P.**  
888 Seventeenth Street, N.W.  
Washington, D.C. 20006-3309

*Counsel for Applicants  
Norfolk Southern Corporation  
and Norfolk Southern Railway  
Company*

Dennis G. Lyons  
Mary Gabrielle Sprague  
Sharon L. Taylor  
**ARNOLD & PORTER**  
555 Twelfth Street, N.W.  
Washington, D.C. 20004-1202  
(202) 942-5000

*Counsel for Applicants  
CSX Corporation and  
CSX Transportation, Inc.*

Dated: August 26, 2002

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BEFORE THE  
SURFACE TRANSPORTATION BOARD

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

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  
(GENERAL OVERSIGHT)

**REQUEST FOR EXTENSION OF TIME  
WITH RESPECT TO THE COMMENTS OF CARGILL, INCORPORATED, OF  
CSX CORPORATION, CSX TRANSPORTATION, INC.,  
NORFOLK SOUTHERN CORPORATION AND  
NORFOLK SOUTHERN RAILWAY COMPANY**

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CSX Corporation and CSX Transportation, Inc. (collectively “CSX”), and Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively “NS”) hereby request an extension of time of 21 days, to and including Monday, September 16, 2002, to respond to the comments submitted by Cargill, Incorporated (“Cargill”) (CARG-5) on August 5, 2002.<sup>1</sup>

CSX and NS view Cargill as an important and valued customer, and have been involved in conferences with one another in an effort to satisfy the concerns expressed by Cargill in its comments. These discussions are ongoing.

CSX and NS also are mindful that the Board, on an issue such as this, would prefer that the parties reach a negotiated resolution.

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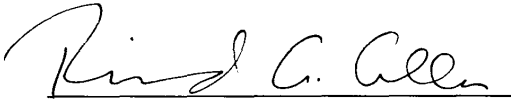
<sup>1</sup> CSX and NS take no exception to Cargill’s filing out of time.

Although CSX and NS originally believed they could respond to Cargill's comments within 20 days, on August 26, 2002, they are not yet in a position to make a proposal to Cargill. The carriers believe, however, that the requested extension will permit them to advance their discussions and ultimately arrive at a negotiated resolution that is acceptable to all parties involved.

### CONCLUSION

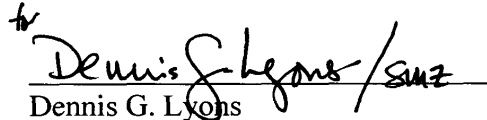
CSX and NS respectfully ask the Board to grant them an extension of 21 days, or through and including Monday, September 16, 2002, within which to reply to the Cargill Comments.

Respectfully submitted,



Richard A. Allen  
Scott M. Zimmerman  
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*Counsel for Applicants*  
**Norfolk Southern Corporation  
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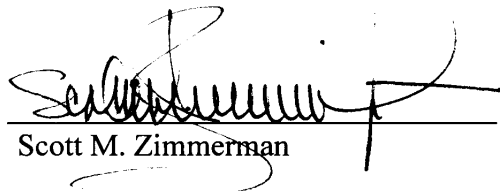
Dated: August 26, 2002

### **CERTIFICATE OF SERVICE**

I certify that on this 26th day of August, 2002, a copy of the foregoing  
“Request for Extension of Time With Respect to the Comments of Cargill,  
Incorporated, of CSX Corporation, CSX Transportation, Inc., Norfolk Southern  
Corporation and Norfolk Southern Railway Company” was served by hand  
delivery and facsimile on the below-named counsel for Cargill, Inc.:

Jeffrey O. Moreno  
Thompson Hine LLP  
1920 N Street, NW  
Suite 800  
Washington, D.C. 20036

and on all other parties of record in Finance Docket No. 33388 (Sub-No. 91) by  
first-class mail, postage prepaid, or more expedited method.

  
Scott M. Zimmerman