

March 15, 2004

By Messenger

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

210309



RE: Finance Docket No. 34421, *HolRail LLC-Petition for Exemption from 49 U.S.C. 10901 to Construct and Operate a Rail Line in Orangeburg and Dorchester Counties, South Carolina*

Dear Secretary Williams:

On January 9, 2004, CSX Transportation, Inc. ("CSX") filed a "Motion to Compel Discovery Responses" from HolRail LLC ("HolRail"). HolRail filed a timely reply on January 29, 2004. The purpose of this letter is to inform the Board that HolRail has produced engineering drawings of its Preferred and Alternate Routes in response to CSX's Interrogatory No. 15 and to Document Request No. 9, which are both subjects of CSX's Motion to Compel.

HolRail has produced these documents subject, and without prejudice, to HolRail's previously stated objections, including General Objection No. 1, which acknowledges that several of CSX's discovery requests may be relevant to a petition for crossing authority, pursuant to 49 U.S.C. § 10901(d), when such petition is filed. HolRail's preparation of a crossing petition, however, is contingent upon the Board's decision in response to "HolRail LLC's First Motion to Compel—Request for Entry Upon Land," filed February 20, 2004, in Sub-Docket No. 1 of this proceeding.

Sincerely,

Jeffrey O. Moreno

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