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March 18, 2004

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VIA FEDERAL EXPRESS #8455 4981 9138

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

ENTERED
Office of Proceedings

MAR 19 2004

Part of
Public Record

Re: NOR 42086-0
Terminal Warehouse, Inc. v. CSX Transportation, Inc.

Dear Sir:

I am enclosing an original and ten (10) copies of Request for Oral Argument and Report Regarding Procedural Schedule for filing in the above-referenced proceeding. An additional copy is enclosed for date stamp and return to our office. I have enclosed a self-addressed, stamped envelope for your convenience.

If you have any questions or need any additional information, please do not hesitate to contact me.

Very truly yours,

Frank J. Reed, Jr.

FJR:vlw

Enclosures

cc: Louis E. Gitomer, Esq.
Natalie S. Rosenberg, Esq.

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Complainant,

V.

Defendant.

Docket No. NOR 42086-0

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Counsel for Petitioner Terminal Warehouse, Inc.

Dated: 03/18/04

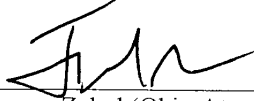
Now comes Terminal Warehouse, Inc. ("Terminal Warehouse"), by and through the undersigned counsel, and submits this Motion for Oral Argument pursuant to 49 CFR 1116. Terminal Warehouse would propose the oral argument be held at date and time set by the Surface Transportation Board after the submission of Rebuttal Evidence (currently proposed for July 27, 2004).

The basis for this Motion for Oral Argument are that Terminal Warehouse anticipates that CSX will attempt to introduce factual evidence which is in conflict with the supporting information submitted by Terminal Warehouse. Further, oral argument will provide an opportunity for the Board, in its discretion, to direct that additional information be filed if the significant adverse impact to Terminal Warehouse and other shippers of the proposed individual exemption cannot be ascertained from the information contained in the opening evidence, reply evidence, or rebuttal evidence. See 49 CFR 1112.10.

Terminal Warehouse supports the proposed schedule for Completion of Discovery (May 14, 2004), submission of opening evidence (June 14, 2004), submission of reply evidence (July 12, 2004), and rebuttal evidence (July 27, 2004), submitted pursuant to 49 CFR 1111.10(a).

For all these reasons, Petitioner requests; that the Board grant Plaintiff's Request for an oral argument after the submission of Rebuttal evidence, and that the Board issue the Proposed Procedural Order scheduling specific dates for the submission of opening evidence, reply evidence, and rebuttal evidence.

Respectfully submitted,



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CERTIFICATE OF SERVICE

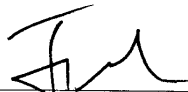
The undersigned hereby certifies that a copy of the foregoing was served by ordinary

U.S. mail, postage prepaid, this ____ day of March, 2004, upon the following:

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