

EXPEDITED ACTION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

CONSUMERS ENERGY COMPANY	)		
	)		240295
	)		
Complainant,	)		ENTERED
	)		Office of Proceedings
v.	)	Docket No. 42142	March 14, 2016
	)		Part of
CSX TRANSPORTATION, INC.	)		Public Record
	)		
Defendant.	)		

PETITION FOR TECHNICAL CONFERENCE

Complainant, Consumers Energy Company (“Consumers”), pursuant to 49 C.F.R. Part 1117.1, requests that the Board schedule a staff-supervised technical conference in this proceeding, to address the failure by Defendant, CSX Transportation, Inc. (“CSXT”) to comply with the Board’s July 15, 2015 Procedural Order in submitting its March 7, 2016 Reply Evidence. In support hereof, Consumers shows as follows:

1. On June 23, 2015, Board staff held a conference with Consumers’ and CSXT’s counsel and certain expert consultants, to discuss the format and procedures to be followed by the parties in the presentation of evidence in this case. Board staff emphasized the need for both parties to adhere to the format and related procedures. Following the conference, the Board served its July 15, 2015 Procedural Order, which formally adopted a specific set of procedures and a defined format that both parties were

directed to follow in presenting their evidence. The stated purpose of these directives was to “support the Board’s efficient processing of the case.”¹

2. On November 2, 2015, Consumers filed its Opening Evidence, which adhered to the procedures and format directed by the Board’s Order. In contrast, however, CSXT’s March 7, 2016 Reply Evidence ignores many of the thirteen (13) specific rules set out by the Board in the Appendix to its Order. Attached hereto as Exhibit No. 1 is a schedule which delineates many – but by no means all – of the instances where CSXT’s submission was not in compliance with the prescribed procedures.²

3. Because of CSXT’s election not to follow the Board’s directives, Consumers will be forced to expend significant time and effort in attempting to decipher CSXT’s workpapers and determine, *inter alia*, which of CSXT’s Reply sections can be cross-referenced with Consumers’ Opening Evidence sections, before Consumers can begin to analyze and address the substance of CSXT’s positions. CSXT’s tactic will burden Consumers with a tedious and otherwise unnecessary exercise that has the very real, practical effect of compressing the already limited time available under the governing procedural schedule to prepare and present its Rebuttal Evidence. Board staff

¹ July 15, 2015 Order at 1, and Appendix.

² Exhibit No. 1 reflects only a partial list of deficiencies based upon a cursory, initial review by Consumers’ counsel and experts. If these examples are indicative of the results of a full and detailed review, CSXT’s violations of the July 15 Order are widespread.

will face the same burden when the time comes for evaluation of the parties' submissions.

4. Perhaps assuming that both parties would follow its directives, the Board did not specify consequences if its Order was violated. Consumers would not object if the Board was to strike CSXT's non-compliant Reply Evidence, or require the carrier to re-file it in a format that conforms to the Order, with appropriate adjustments to the current procedural schedule to accommodate the re-filing. If the Board is not inclined toward either of these alternatives, however, Consumers submits that a technical conference is needed so that the Board staff can advise Consumers as to how its Rebuttal Evidence should be organized, in order to give Consumers a fair opportunity to rebut CSXT's claims while continuing to conform to the July 15 Order to the maximum extent possible, given CSXT's repeated failures to comply with that Order. Consumers reserves the right to request a reasonable modification of the current procedural schedule, once the conference is concluded and the Board otherwise completes its disposition of this Petition.

5. Until the Board takes action, or at least provides guidance in response to CSXT's violations of the July 15 Order, Consumers will be unfairly handicapped in preparing and presenting its Rebuttal Evidence, which currently is due on May 6, 2016. Therefore, Consumers requests that the Board consider this Petition on an expedited basis, and order that any reply hereto by CSXT be filed no later than March 18, 2016.

WHEREFORE, Consumer requests that the Board promptly schedule a staff technical conference to address the procedural and format problems caused by CSXT's violation of the Board's July 15, 2015 Procedural Order, and/or take such other action as the Board considers appropriate under the circumstances.

Respectfully submitted,

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Dated: March 14, 2016

Attorneys & Practitioners

CERTIFICATE OF SERVICE

I hereby certify that this 14th day of March, 2016, I have caused copies of Complainant's Petition for Technical Conference to be served by hand upon counsel for Defendant CSX Transportation, Inc. as follows:

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/s/

Katherine F. Waring

Summary of Areas in CSXT's Reply Evidence in Consumers that Violate the Board's 7/10/15 Filing Requirements

	CSXT Reply			Consumers Opening	CSXT Workpapers			STB 7/10/15 Decision Violation	
No.	Section	Page(s)	Footnote	Section	Name	Tab	Cell	GP	Description
1.	II-A	3	5	N/A	Description of Movements in Chicago.pdf	N/A	N/A	GP2	File referenced is not included in Section II-A.
2.	II-A	6	9	N/A	CSXT Track Chart 22nd to 71st.pdf	N/A	N/A	GP2	File referenced does not support the values in Table II-A-2.
3.	II-A	7	11	N/A	N/A	N/A	N/A	GP2	No files referenced for CSXT Reply values in Table II-A-3.
4.	II-A	7	12	N/A	CSXT Reply URCS Calculations.xlsx	N/A	N/A	GP2	No tab or cell reference for the numbers cited.
5.	II-A	N/A	N/A	II-A	II-A subfolders	N/A	N/A	GP4	Discarded subfolder structure from Opening, included only a subset of opening files, created new subfolders not consistent with opening filing.
6.	II-B-3	II-B-49	142	N/A	CSXT Reply URCS Calculations.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
7.	III-A-1	III-A-11	9	N/A	CERR K300 Coke Trains.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
8.	III-A-1	III-A-12	10	N/A	[Cons. Op.] 5.1 Trainsit Times Comparison Hist v. RTC.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
9.	III-A-1	III-A-12	11	N/A	RTC CSXT Actual Calumet Park.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
10.	III-A-1	III-A-13	13	N/A	[Cons. Op.] 5.1 Trainsit Times Comparison Hist v. RTC.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
11.	III-A-1	III-A-13	14	N/A	RTC CSXT Actual Calumet Park.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
12.	III-A-1	III-A-14	15	N/A	RTC CSXT Actual Calumet Park.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
13.	III-A-1	III-A-14	16	N/A	RTC CSXT Actual Calumet Park.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
14.	III-A-1	III-A-14	17	N/A	RTC CSXT Actual Calumet Park.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
15.	III-A-1	III-A-14	18	N/A	[Cons. Op.] 5.1 Trainsit Times Comparison Hist v. RTC.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
16.	III-A-1	III-A-15	19	N/A	RTC CSXT Actual Calumet Park.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
17.	III-A-1	III-A-16	20	N/A	Examples_ConsumersWaybillLogic.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
18.	III-A-2	III-A-20	24	N/A	[Cons. Op.] 2015_CSXT Volume Growth Forecast.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
19.	III-A-2	III-A-21	25	N/A	[Cons. Op.] 2015_CSXT Volume Growth Forecast.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
20.	III-A-2	III-A-22	26	N/A	2015_CSXT Volume Growth Forecast_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
21.	III-A-2	III-A-23	29	N/A	EIA AEO Forecast.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
22.	III-A-2	III-A-24	31	N/A	Updated CSXT Internal Forecast	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
23.	III-A-2	III-A-24	32	N/A	CERR Container Traffic Forecast_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
24.	III-A-2	III-A-25	37	N/A	EIA WTI Price History and Forecast.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
25.	III-A-2	III-A-26	38	N/A	CERR Car Traffic Forecast_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
26.	III-A-3	III-A-35	53	N/A	2014 CSXT URCS Empty Load Ratios.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) related to the footnoted text
27.	III-A-3	III-A-36	54	N/A	Carload URCS_SARR Inputs_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text

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No.	CSXT Reply			Consumers Opening	CSXT Workpapers			STB 7/10/15 Decision Violation	
	Section	Page(s)	Footnote	Section	Name	Tab	Cell	GP	Description
28.	III-A-3	III-A-36	54	N/A	CERR and Residual CSXT ATC URCS Inputs_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
29.	III-A-3	III-A-39	58	N/A	2014 CSXT URCS Empty Load Ratios.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted text
30.	III-A-3	III-A-44	64	N/A	Consumers 59th Street Costs.xlsx	N/A	N/A	GP6	CSXT failed to provide a clear description of what the spreadsheet represents and a clear description of the rows and columns
31.	III-A-3	III-A-46	67	N/A	Consumers Intermodal ATC.xlsx	N/A	N/A	GP6	CSXT failed to provide a clear description of what the spreadsheet represents and a clear description of the rows and columns
32.	III-A-3	III-A-50	71	N/A	CERR Operating Expense_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
33.	III-A-3	III-A-50	71	N/A	CERR Operating Expense_Reply.xlsx	N/A	N/A	GP6	CSXT failed to provide a clear description of what the spreadsheet represents and a clear description of the rows and columns
34.	III-A-3	III-A-52	75	N/A	ATC_FixedCosts_Adjustments.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
35.	III-A-3	III-A-53	78	N/A	2014 Fixed Costs For ATC (Final)_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
36.	III-A-3	III-A-54	82	N/A	ATC_FixedCosts_Adjustments.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted text
37.	N/A	N/A	N/A	III-A-2-d	N/A	N/A	N/A	GP3	CSXT deleted
38.	N/A	N/A	N/A	III-A-3-a	N/A	N/A	N/A	GP3	CSXT deleted
39.	N/A	N/A	N/A	III-A-3-b	N/A	N/A	N/A	GP3	CSXT deleted
40.	N/A	N/A	N/A	III-A-3-c-i	N/A	N/A	N/A	GP3	CSXT deleted
41.	N/A	N/A	N/A	III-A-3-c-ii	N/A	N/A	N/A	GP3	CSXT deleted
42.	N/A	N/A	N/A	III-A-3-d	N/A	N/A	N/A	GP3	CSXT changed outline position
43.	N/A	N/A	N/A	III-A-3-d-i	N/A	N/A	N/A	GP3	CSXT deleted
44.	N/A	N/A	N/A	III-A-3-d-ii	N/A	N/A	N/A	GP3	CSXT deleted
45.	N/A	N/A	N/A	III-A-3-d-iii	N/A	N/A	N/A	GP3	CSXT deleted
46.	N/A	N/A	N/A	III-A-3-d-iv	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
47.	III-A	N/A	N/A	III-A	III-A subfolders	N/A	N/A	GP4	Discarded subfolder structure from Opening, included only a subset of opening files, created new subfolders not consistent with opening filing.
48.	III-B-2-a	III-B-10	6	III-B-2-a	Description of Movements in Chicago.pdf	N/A	N/A	GP2	File included in Reply workpapers under a different name according to workpaper directory.
49.	III-B-2-a	III-B-10	6	III-B-2-a	N/A	N/A	N/A	GP2	CSXT Claim: "CSXT generally accepts Consumers' configuration, but adds one 2.0 mile siding on the Porter to West Olive line, which is necessary to accommodate the issue traffic coal trains that are often held outside of the plant until Consumers is ready to accept them." CSXT footnote cites "CSXT described the need for this siding to Consumers in discovery" but does not reference a specific file/location.
50.	III-B-2-c	III-B-11	7	III-B-2-c	Description of Movements in Chicago.pdf	N/A	N/A	GP2	File included in Reply workpapers under a different name according to workpaper directory.
51.	N/A	N/A	N/A	Table III-B-1	CERR Route Miles_Reply.xlsx	N/A	N/A	GP7	"Route_mile reply.xlsx", "Consumers Route File_with Flagged Links 08152015.xlsx", document not listed as linked on workpaper index
52.	III-B	N/A	N/A	III-B	III-B subfolders	N/A	N/A	GP4	Discarded subfolder structure from Opening, included only a subset of opening files, created new subfolders not consistent with opening filing.
53.	III-C-INTRODUCTION-B	III-C-12	33	N/A	[Cons Op] Peak Unit Merch Trains v5 20151009 w Peak LE Consist and Growth Trains w delayv4.xlsx	N/A	N/A	GP1	Cited figures not found at cited location.
54.	III-C-INTRODUCTION-B	III-C-13	34	N/A	[Cons Op] Peak Unit Merch Trains v5 20151009 w Peak LE Consist and Growth Trains w delayv4.xlsx	N/A	N/A	GP1	Numbers in the table not found at cited location.
55.	III-C-INTRODUCTION-B	III-C-15	38	N/A	[Cons Op] Foreign Line Delays WORK.xlsx	N/A	N/A	GP1	Cited figures not found at cited location.
56.	III-C-INTRODUCTION-B	III-C-16	N/A	N/A	N/A	N/A	N/A	GP1	Figures in italicized text not cited.

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No.	CSXT Reply			Consumers Opening	CSXT Workpapers			STB 7/10/15 Decision Violation	
	Section	Page(s)	Footnote	Section	Name	Tab	Cell	GP	Description
57.	III-C-INTRODUCTION-B	III-C-24	48	N/A	Delay_Data_CERR_Trains.xlsx	N/A	N/A	GP1	Cited figures not found at cited location.
58.	III-C-1-a	III-C-45	N/A	N/A	N/A	N/A	N/A	GP1	Figures in Table III-C-7 not sourced to workpapers.
59.	III-C-1-c-ii-(a)	III-C-52	N/A	N/A	N/A	N/A	N/A	GP1	Figures in Figure III-C-9 not sourced to workpapers.
60.	III-C-1-c-ii-(b)	III-C-54	N/A	N/A	N/A	N/A	N/A	GP1	Figures in Table III-C-10 not sourced to workpapers.
61.	III-C-1-c-iv	III-C-56	N/A	N/A	CERR Base Year Trains.xlsx	N/A	N/A	GP1	CSXT failed to identify the specific cell range(s) related to the footnoted figures.
62.	III-C-1-c-I	III-C-71	N/A	N/A	N/A	N/A	N/A	GP1	Figures in Table III-C-11 not sourced to workpapers.
63.	III-C-1-c-n	III-C-74	N/A	N/A	N/A	N/A	N/A	GP1	Figures in Figure III-C-12 not sourced to workpapers.
64.	III-C-INTRODUCTION-B	III-C-13	34	N/A	[Cons Op] Peak Unit Merch Trains v5 20151009 w Peak LE Consist and Growth Trains w delayv4.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted figure.
65.	III-C-INTRODUCTION-B	III-C-24	48	N/A	Delay_Data_CERR_Trains.xlsx	N/A	N/A	GP2	Cited worksheet does not exist in cited workpaper.
66.	III-C-INTRODUCTION-C	III-C-27	52	N/A	Train Forecast table_09202015 v7 with TRN Idx_Reply.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted figures.
67.	III-C-INTRODUCTION-C	III-C-28	54	N/A	[Cons Op] CERR BASE YEAR TRAIN LIST DEVELOPMENT vF.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the figures included in CSXT Figure III-C-5.
68.	III-C-INTRODUCTION-C	III-C-42	78	N/A	Bad Ordered Carloads in NonUnit Trains.xlsx	N/A	N/A	GP2	Cited figures not found at cited location.
69.	III-C-INTRODUCTION-C	III-C-43	81	N/A	Bad Ordered Carloads in NonUnit Trains.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted figures.
70.	III-C-1-c-ii-(a)	III-C-52	93	N/A	CERR Base Year Trains.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific cell range(s) related to the footnoted figures.
71.	III-C-1-c-n	III-C-75	159	N/A	RTC Output Time Comparisons.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted figures.
72.	III-C-1-c-n	III-C-76	161	N/A	RTC Report output v2.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted calculation.
73.	III-C-1-c-n	III-C-76	162	N/A	RTC Output Time Comparisons.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted figures.
74.	III-C-1-c-n	III-C-76	163	N/A	[Cons Op] Peak Unit Merch Trains v5 20151009 w Peak LE Consist and Growth Trains w delayv4.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheet tab(s) and cell range(s) related to the footnoted figure.
75.	III-C-INTRODUCTION	N/A	N/A	N/A	N/A	N/A	N/A	GP3	CSXT inserted its preferred argument structure as a 43-page, 3-part "Introduction" before addressing the argument submitted by Consumers in Opening.
76.	N/A	N/A	N/A	III-C-1-a-i	N/A	N/A	N/A	GP3	CSXT deleted
77.	N/A	N/A	N/A	III-C-1-a-ii	N/A	N/A	N/A	GP3	CSXT deleted
78.	N/A	N/A	N/A	III-C-1-a-iii	N/A	N/A	N/A	GP3	CSXT deleted
79.	N/A	N/A	N/A	III-C-1-a-iv	N/A	N/A	N/A	GP3	CSXT deleted
80.	N/A	N/A	N/A	III-C-1-a-v	N/A	N/A	N/A	GP3	CSXT deleted
81.	N/A	N/A	N/A	III-C-1-a-vi	N/A	N/A	N/A	GP3	CSXT deleted
82.	N/A	N/A	N/A	III-C-1-a-vii	N/A	N/A	N/A	GP3	CSXT deleted
83.	N/A	N/A	N/A	III-C-1-a-viii	N/A	N/A	N/A	GP3	CSXT deleted
84.	N/A	N/A	N/A	III-C-1-a-ix	N/A	N/A	N/A	GP3	CSXT deleted
85.	N/A	N/A	N/A	III-C-1-d	N/A	N/A	N/A	GP3	CSXT changed outline level (demoted)
86.	N/A	N/A	N/A	III-C-2-a	N/A	N/A	N/A	GP3	CSXT deleted
87.	N/A	N/A	N/A	III-C-2-b	N/A	N/A	N/A	GP3	CSXT deleted
88.	N/A	N/A	N/A	III-C-2-b-i	N/A	N/A	N/A	GP3	CSXT deleted
89.	N/A	N/A	N/A	III-C-2-b-i-(a)	N/A	N/A	N/A	GP3	CSXT deleted
90.	N/A	N/A	N/A	III-C-2-b-i-(b)	N/A	N/A	N/A	GP3	CSXT deleted
91.	N/A	N/A	N/A	III-C-2-b-i-(c)	N/A	N/A	N/A	GP3	CSXT deleted
92.	N/A	N/A	N/A	III-C-2-b-i-(d)	N/A	N/A	N/A	GP3	CSXT deleted
93.	N/A	N/A	N/A	III-C-2-b-i-(e)	N/A	N/A	N/A	GP3	CSXT deleted
94.	N/A	N/A	N/A	III-C-2-b-i-(e)-(i)	N/A	N/A	N/A	GP3	CSXT deleted

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No.	Section	Page(s)	Footnote	Section	Name	Tab	Cell	GP	Description
95.	N/A	N/A	N/A	III-C-2-b-i-(e)-(ii)	N/A	N/A	N/A	GP3	CSXT deleted
96.	N/A	N/A	N/A	III-C-2-b-i-(e)-(iii)	N/A	N/A	N/A	GP3	CSXT deleted
97.	N/A	N/A	N/A	III-C-2-b-i-(e)-(iv)	N/A	N/A	N/A	GP3	CSXT deleted
98.	N/A	N/A	N/A	III-C-2-c	N/A	N/A	N/A	GP3	CSXT deleted
99.	N/A	N/A	N/A	III-C-2-d	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
100.	N/A	N/A	N/A	III-C-2-d-i	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
101.	N/A	N/A	N/A	III-C-2-d-ii	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
102.	N/A	N/A	N/A	III-C-2-d-iii	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
103.	N/A	N/A	N/A	III-C-2-d-iv	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
104.	N/A	N/A	N/A	III-C-2-d-v	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
105.	N/A	N/A	N/A	III-C-2-d-vi	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
106.	N/A	N/A	N/A	III-C-2-d-vii	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
107.	N/A	N/A	N/A	III-C-2-d-viii	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
108.	N/A	N/A	N/A	III-C-2-d-ix	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
109.	N/A	N/A	N/A	III-C-2-d-x	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
110.	N/A	N/A	N/A	III-C-2-d-xi	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
111.	N/A	N/A	N/A	III-C-2-d-xii	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
112.	N/A	N/A	N/A	III-C-2-d-xiii	N/A	N/A	N/A	GP3	CSXT changed outline level (promoted)
113.	N/A	N/A	N/A	III-C-3-f-i	N/A	N/A	N/A	GP3	CSXT deleted
114.	N/A	N/A	N/A	III-C-3-f-ii	N/A	N/A	N/A	GP3	CSXT deleted
115.	N/A	N/A	N/A	III-C-3-f-iii	N/A	N/A	N/A	GP3	CSXT deleted
116.	N/A	N/A	N/A	III-C-3-h	N/A	N/A	N/A	GP3	CSXT deleted
117.	III-C	N/A	N/A	III-C	III-C subfolders	N/A	N/A	GP4	Discarded subfolder structure from Opening, included only a subset of opening files, created new subfolders not consistent with opening filing.
118.	III-D	III-D-11	22	N/A	Calculation of Consumers Helper Units.xlsx	N/A	N/A	GP1	Workpaper does not exist.
119.	III-D	III-D-14	31	N/A	Select Chicago ISAs.pdf	N/A	N/A	GP1	Workpaper does not exist.
120.	III-D	III-D-15	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-2 is unsourced.
121.	III-D	III-D-40	96	N/A	Holding Consumers Loaded Trains.xlsx	N/A	N/A	GP1	Workpaper does not exist.
122.	III-D	III-D-105	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-20 is unsourced.
123.	III-D	III-D-105	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-21 is unsourced.
124.	III-D	III-D-107	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-22 is unsourced.
125.	III-D	III-D-107	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-23 is unsourced.
126.	III-D	III-D-108	247	N/A	N/A	N/A	N/A	GP2	Footnote provides workpaper file reference, but location in the workpaper file is difficult to determine .
127.	III-D	III-D-113	254	N/A	N/A	N/A	N/A	GP2	Footnote provides workpaper file reference, but location in the workpaper file is difficult to determine .
128.	III-D	III-D-114	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-27 is unsourced.
129.	III-D	III-D-115	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-28 is unsourced.
130.	III-D	III-D-119	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-30 is unsourced.
131.	III-D	III-D-120	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-31 is unsourced.
132.	III-D	III-D-127	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-32 is unsourced.
133.	III-D	III-D-127	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-33 is unsourced.
134.	III-D	III-D-143	N/A	N/A	N/A	N/A	N/A	GP2	Table III-D-34 is unsourced.
135.	III-D 2.c	N/A	N/A	III-D 2.b.i	N/A	N/A	N/A	GP3	"Private Car Allowance" changed to section 2.c from section 2.b.i
136.	III-D 3	N/A	N/A	III-D 3	N/A	N/A	N/A	GP3	Reply content and order remains intact, but different sections are numbered differently throughout III-D 3.
137.	III-D 4.a and b.	N/A	N/A	III-D 4.a.	N/A	N/A	N/A	GP3	CSXT renamed 4.a, inserted 4.b, and combined Opening 4.b into 4.c.
138.	III-D 4.c	N/A	N/A	III-D 4.c	N/A	N/A	N/A	GP3	CSXT organizes sub items in 4.c slightly differently
139.	III-D 9.a	N/A	N/A	III-D 9	N/A	N/A	N/A	GP3	CSXT created "Other" and numbered III-D 9 which includes III-D 9.a. "Intermodal Lift and Ramp Costs", which was simply III-D 9 in Opening
140.	N/A	N/A	N/A	III-D 10	N/A	N/A	N/A	GP3	CSXT excludes Opening section III-D 10, "Calculation of Annual Operating Expenses"
141.	III-D	N/A	N/A	III-D	III-D subfolders	N/A	N/A	GP4	Discarded subfolder structure from Opening, included only a subset of opening files, created new subfolders not consistent with opening filing.
142.	III-F-2	N/A	N/A	III-F	III-F-2 Folder	N/A	N/A	GP4	Discarded subfolder structure from Opening, included only a subset of opening files, created new subfolders not consistent with opening filing.

Summary of Areas in CSXT's Reply Evidence in Consumers that Violate the Board's 7/10/15 Filing Requirements

No.	CSXT Reply			Consumers Opening	CSXT Workpapers			STB 7/10/15 Decision Violation	
	Section	Page(s)	Footnote	Section	Name	Tab	Cell	GP	Description
143.	III-F-2	III-F-22-66	N/A	III-F-2	N/A	N/A	N/A	GP3	Did not follow the structure of the narrative established in Opening.
144.	III-F-2	III-F-31	60	N/A	A41492 AA 04-29-14 Casky KY - Proposed Inspection yard AFE.xls	AFE Detail	AH3:AH5	GP2	Spreadsheet cited is not found in this section.
145.	III-F-2	III-F-38	71	N/A	CERR Grading_Reply.xlsm	Other Items	N/A	GP2	Tab referenced does not exist.
146.	III-F-2	III-F-39	75	N/A	N/A	N/A	N/A	GP2	Cite referenced in footnote is incorrect.
147.	III-F-2	III-F-39	78	N/A	CERR Grading_Opening.xlsm	Unit Costs	N/A	GP2	Rows cited by CSXT contain no data in the corresponding spreadsheet
148.	III-F-2	III-F-40	80	N/A	N/A	N/A	N/A	GP2	Cite referenced in footnote is incorrect.
149.	III-F-2	III-F-40	81	N/A	CERR Grading_Opening.xlsm	Eng Rpt Input	N/A	GP2	Cite referenced in footnote is incorrect.
150.	III-F-2	III-F-45	93	N/A	MDOT Excavation Unit Costs_Reply Analysis.xlsx	Reply Analysis	N/A	GP2	Cite referenced in footnote is incorrect.
151.	III-G-1	III-G-1	N/A	III-G-3	N/A	N/A	N/A	GP1	CSXT failed to specifically cite documents and evidence referenced in the DCF Cost of Capital narrative
152.	III-G-1	III-G-1	N/A	III-G-5	N/A	N/A	N/A	GP1	CSXT failed to specifically cite documents and evidence referenced in the Equity Flotation Costs narrative
153.	III-G-1	III-G-3	N/A	N/A	N/A	N/A	N/A	GP2	CSXT failed to identify the source of the data in Table III-G-1
154.	III-G-1	III-G-4	N/A	N/A	N/A	N/A	N/A	GP2	CSXT failed to identify the source of the data in Table III-G-2
155.	III-G-1	III-G-10	N/A	N/A	AAR 2013 Cost of Capital Debt Details Worksheet.xlsx	N/A	N/A	GP2	CSXT failed to identify the specific worksheets in the file cited.
156.	III-G-1	III-G-10	N/A	N/A	AAR 2013 Cost of Capital Debt Details Worksheet.xlsx	N/A	N/A	GP6	CSXT failed to provide a clear description of what the spreadsheet represents and a clear description of the rows and columns
157.	III-G	N/A	N/A	III-G	III-G subfolders	N/A	N/A	GP4	Discarded subfolder structure from Opening, included only a subset of opening files, created new subfolders not consistent with opening filing.
158.	III-H	III-H-6	N/A	N/A	N/A	N/A	N/A	GP2	CSXT fails to cite the source of the \$5.2 billion in system-wide bonus depreciation benefits for 2008 to 2014.
159.	III-H	III-H-6	N/A	N/A	N/A	N/A	N/A	GP2	CSXT fails to cite the source of its 2014 route miles.
160.	III-H	III-H-11	11	N/A	Interest Amortization.xlsx	N/A	N/A	GP2	CSXT fails to cite to a specific worksheet or set of cells in the footnote.
161.	III-H	III-H-11	N/A	N/A	N/A	N/A	N/A	GP2	CSXT fails to include a source for the data in Table III-H-2
162.	III-H	III-H-17	17	N/A	URCS Index Productivity Demonstration.xlsx	N/A	N/A	GP2	CSXT fails to cite to a specific worksheet or set of cells in the footnote.
163.	III-H	III-H-18	19	N/A	MMM CSXT URCS Index Reply.xlsx	N/A	N/A	GP2	CSXT fails to cite to a specific worksheet or set of cells in the footnote.
164.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	GP12	Based on an initial review CSXT has not provided a color coding key and it appears that within several sections that the color coding was not consistently applied.