



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

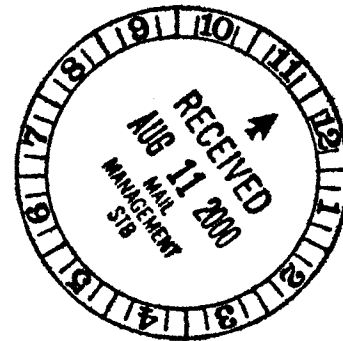
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GENERAL COUNSEL

400 Seventh St., S.W.
Washington, D.C. 20590

August 11, 2000

Surface Transportation Board
Office of the Secretary
Case Control Unit
1925 K Street, N.W.
Washington, D.C. 20423-0001



Attention: STB Docket No. 42052

Dear Sir or Madam:

Enclosed please find an original and 10 copies of the comments of the United States Department of Transportation in the above-referenced proceeding.

Sincerely,

Dale C. Andrews
Deputy Assistant General Counsel
for Litigation

Enclosure



**U.S. Department of
Transportation**

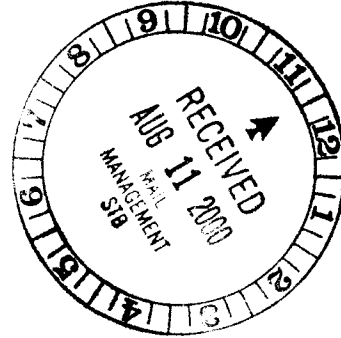
Office of the Secretary
of Transportation

GENERAL COUNSEL

400 Seventh St., S.W.
Washington, D.C. 20590

199453
August 11, 2000

Vernon A. Williams, Secretary
Surface Transportation Board
Suite 700
1925 K Street, N.W.
Washington, D.C. 20423-0001



Re: STB Docket No. 42052

Dear Secretary Williams:

The Surface Transportation Board has instituted the above-referenced proceeding in order to resolve questions concerning the right of a rail carrier to impose charges unilaterally against other carriers for events that may occur when cars are interchanged. Decision served June 13, 2000.

The U.S. Department of Transportation ("DOT") believes this to be a potentially significant matter. The charges at issue reportedly have been imposed in an attempt to reduce the congestion that results when cars are not interchanged on a timely basis. DOT believes that measures such as these, which may have the potential to relieve congestion, warrant careful attention. Particularly in and around major interchange points, congestion-related delays have been shown to impose significant burdens on railroads, shippers, and communities.

Pursuant to DOT's usual practice, we intend to review the initial submissions of other parties in this proceeding, and following that review we will determine whether to submit substantive views in reply comments, which we understand are now due September 1, 2000.

Respectfully submitted,

Rosalind A. Knapp
Acting General Counsel

cc: Parties of Record