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June 18, 2001

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

Re: Canadian National Railway Company, Grand Trunk Corporation and WC Merger Sub, Inc. - Control - Wisconsin Central Transportation Corporation, Wisconsin Central Ltd., Fox Valley & Western Ltd., Sault Ste. Marie Bridge Company, and Wisconsin Chicago Link, Finance Docket No. 34000

Dear Mr. Secretary:

Enclosed for filing in the above-referenced docket are an original and 25 copies of Great Lakes Transportation LLC's Motion to Compel Discovery from AK Steel Corporation. A certificate of service is attached to the filing.

Given the June 25th deadline for filing comments in this proceeding, Great Lakes requests **expedited consideration** of this Motion.

Also enclosed is a 3.5-inch diskette containing the pleading in Word 2000, which is capable of being read by WordPerfect for Windows 9.0.

Please file stamp the enclosed copy of this pleading and return it to our messenger. Thank you for your assistance.

Very truly yours,

James R. Dean, Jr.
Attorney for
Great Lakes Transportation LLC

ENTERED
Office of the Secretary

JUN 19 2001

Part of
Public Record

Enclosures

202677

GLT-11

EXPEDITED CONSIDERATION REQUESTED

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Office of the Secretary

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Part of
Public Record

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 34000



**CANADIAN NATIONAL RAILWAY COMPANY,
GRAND TRUNK CORPORATION AND WC MERGER SUB, INC.
-CONTROL-**

**WISCONSIN CENTRAL TRANSPORTATION CORPORATION, WISCONSIN
CENTRAL LTD., FOX VALLEY & WESTERN LTD., SAULT STE. MARIE
BRIDGE COMPANY, AND WISCONSIN CHICAGO LINK LTD.**

**MOTION OF GREAT LAKES TRANSPORTATION LLC
TO COMPEL DISCOVERY**

Pursuant to 49 C.F.R. § 1114.31, Great Lakes Transportation LLC ("GLT") hereby moves for an order compelling AK Steel Corporation ("AK Steel") to produce documents and information responsive to discovery requests served on AK Steel by GLT on June 4, 2001. As described more fully below, AK Steel's response asserts a blanket relevance objection to requests regarding the transportation of taconite that is patently unreasonable. Because comments on the Application are due in just one week, GLT requests expedited treatment for this motion. GLT proposes that the Board require that any response to this motion be filed by the close of business on June 19, 2001.

BACKGROUND

GLT, directly or through subsidiaries, owns the Duluth, Missabe and Iron Range Railway Company ("DM&IR"), the USS Great Lakes Fleet ("USS Fleet"), the

Bessemer and Lake Erie Railroad Company (“B&LE”), and the Pittsburgh & Conneaut Dock Company (“P&C Dock”). Together, DM&IR, USS Fleet, P&C Dock, and B&LE provide integrated transportation of taconite pellets and related materials from the iron ore producing region of northeastern Minnesota to steel plants throughout the Midwest region. DM&IR moves thousands of trainloads annually from taconite plants in Minnesota to docks at Duluth and Two Harbors, Minnesota. The taconite is unloaded from trains directly or indirectly into USS Fleet ships for movement on the Great Lakes.

Canadian National Railway Company (“CN”) and Wisconsin Central Transportation Corporation (“WC”), collectively “Applicants,” applied on April 9, 2001 for authorization for CN, through affiliates, to acquire control of WC and WC’s rail carrier subsidiaries. On May 1, 2001, GLT petitioned for leave to intervene out of time, and, among other things, urged the Board to classify the proposed transaction as “significant” for purposes of its rules.¹ In support of that request, GLT pointed out that the Applicants apparently seek to divert to all-rail routes some or all of the taconite currently transported by water.² Such diversion, GLT stated, would have substantial competitive, environmental, and safety effects and thereby significantly implicate the public interest. Those impacts were not, GLT noted, addressed in the application.³

¹ Reply of Great Lakes Transportation LLC to Petition Suggesting Procedural Schedule; Petition to Dismiss Application or Require Supplemental Information (“GLT Reply”). The GLT Reply was supported by the verified statement of Peter D. Stephenson, Vice President of the DM&IR.

² GLT Reply at 6.

³ Id. at 7.

In a response filed on May 2, 2001, Applicants sought to minimize the prospects that such diversion would actually occur. Applicants stated there, "From beginning to end, GLT's Petition is based on a premise -- repeatedly stated but totally unfounded -- that Applicants expect and plan on a 'major' diversion of a 'significant,' 'large,' or 'substantial[ly] increase[d]' volume, the 'majority' of or all of the water-borne traffic now handled by GLT and its affiliates. This fundamental premise is wholly unfounded."⁴

In its Decision No. 2, issued May 9, 2001 the Board accepted the application for filing as a "minor" application under 49 C.F.R. § 1180.2(c) but provided additional time for filing comments on the application, emphasizing that "Great Lakes' concerns (including environmental concerns) can be addressed in the submissions of all interested parties and considered by the Board with the schedule we are establishing for this proceeding." Decision No. 2 at 8. The Board stated that discovery should begin immediately and that discovery matters should be resolved expeditiously. Id. at 11.

AK Steel intervened in the proceeding as a party of record on May 2, 2001, and it served discovery requests on GLT on May 22, 2001. On June 4, 2001, GLT served on AK Steel its First Requests to AK Steel Corporation for the Production of Documents and First Set of Interrogatories to AK Steel Corporation.⁵ On June 15, 2001, AK Steel served its

⁴ Applicants' Reply to Petition to Dismiss Application or Require Supplemental Information at 2 (May 2, 2001).

⁵ Hereafter "GLT Requests." A copy is attached as Attachment A hereto.

objections and responses on GLT.⁶ Counsel for the parties briefly conferred about AK Steel's objections on the morning of June 18, but were unable to resolve the issue of the relevance of certain requests to which AK Steel has objected.

ARGUMENT

The requests to which AK Steel has objected are directly relevant to arguments GLT is making in this proceeding. The Board should order AK Steel to respond to those requests promptly.

A fundamental question in this proceeding is whether, as a result of the proposed merger, taconite traffic currently moving via the Great Lakes will be diverted to an all-rail route. A verified statement of the top commercial officers of CN and WC submitted with the application indicates that Applicants expect to divert at least some taconite traffic currently moving on the Lakes. See Application, p. 170. As noted above, Applicants have since downplayed the likelihood of such diversions. However, WC has already had some success in diverting to all-rail a substantial taconite movement to AK Steel's facility in Middletown, Ohio.

The GLT Requests at issue here concern AK Steel's decision to transport some of its taconite via an all-rail movement, rather than via the Great Lakes. GLT posed

⁶ Hereafter "AK Steel's Response." A copy is attached as Attachment B hereto. Although AK Steel's certificate of service states that the response was served on GLT's counsel by hand on June 14, 2001, the response was not received by GLT's counsel until the next day.

the discovery at issue as part of its continuing attempt to quantify the potential for future diversions of taconite movements to all-rail routes.⁷

Because of the shortness of time and to minimize the burden of compliance, GLT is moving to compel a response to only three of its requests, the ones that most directly relate to the potential for future diversions. These requests are as follows:

3. Please provide any studies, analyses, or other documents relating to AK Steel's decision whether to use an all-rail route or a rail-water-rail route to transport taconite.
4. Please explain with specificity why AK Steel has chosen to use an all-rail route to a greater extent than it uses a rail-water-rail route for movement of taconite to the Middletown facility.
5. Please provide any documents reflecting communications between AK Steel and any railroad (other than DM&IR) relating to the transportation of taconite to the Middletown facility.

To each of the above requests, AK Steel responded:

AK Steel objects to this request on grounds that it seeks information that is not relevant to any issue properly before the Board for resolution in this case, and is not calculated to lead to the discovery of admissible evidence.

The objection is without merit. Each of these requests seeks documents or information that bear on the likelihood of taconite diversions to an all-rail route. Request No. 3 seeks information about AK Steel's consideration of an all-rail movement for its taconite, while Request Nos. 4 and 5 seek more specific information relating to AK Steel's

⁷ GLT began to focus on AK Steel's diversions to all-rail movement of taconite for its Middletown facility as it was preparing its June 13 environmental filing. In that filing, GLT suggested that there is a potential for a merged CN/WC to divert the remaining portion of AK Steel's Middletown taconite traffic to all-rail in the short term.

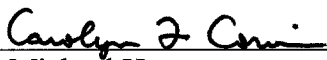
decision to shift a majority of its Middletown taconite traffic to an all-rail route. Although AK Steel's earlier diversions of taconite took place prior to any CN/WC merger, GLT believes that information about AK Steel's consideration of such diversions will shed light on whether greater diversions are likely following a merger. Each of these requests is designed to obtain information relevant to the likelihood that AK Steel will divert even more of its Middletown taconite to an all-rail route in the future and to the potential for other taconite receivers to switch to all-rail deliveries if a merged CN/WC pursues this business. Thus, the requests are clearly relevant to a key issue in this proceeding.

CONCLUSION

For the foregoing reasons, GLT requests that the Board issue an order compelling AK Steel to produce documents and information responsive to GLT's Request Nos. 3 through 5 so that GLT may review these materials in advance of the June 25, 2001 deadline for comments on the Application.

Respectfully submitted,

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Counsel for Great Lakes Transportation LLC

Dated: June 18, 2001

CERTIFICATE OF SERVICE

I, James R. Dean, Jr., certify that, on this 18th day of June, 2001, I caused a copy of the foregoing Motion Of Great Lakes Transportation LLC to Compel Discovery to be served by facsimile and by hand, on the following:

Andrew B. Kolesar, III
Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, DC 20036

Paul A. Cunningham, Esq.
Harkins Cunningham
801 Pennsylvania Avenue, N.W.
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Washington, D.C. 20004-2664

I further certify that this 18th day of June, 2001, I caused a copy of the foregoing document to be served by first-class mail, postage prepaid, on each party of record listed on the official service list in this proceeding, as established by the Board's Decision No. 3.



James R. Dean, Jr.

GLT-8

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Finance Docket No. 34000

**CANADIAN NATIONAL RAILWAY COMPANY,
GRAND TRUNK CORPORATION AND WC MERGER SUB, INC.
-CONTROL-
WISCONSIN CENTRAL TRANSPORTATION CORPORATION, WISCONSIN
CENTRAL LTD., FOX VALLEY & WESTERN LTD., SAULT STE. MARIE BRIDGE
COMPANY, AND WISCONSIN CHICAGO LINK**

**GREAT LAKES TRANSPORTATION LLC'S
FIRST REQUESTS TO AK STEEL CORPORATION FOR THE
PRODUCTION OF DOCUMENTS AND FIRST SET OF
INTERROGATORIES TO AK STEEL CORPORATION**

Pursuant to 49 C.F.R. §§ 1114.21 - 1114.31, Great Lakes Transportation LLC
("Great Lakes") hereby submits its First Requests For Production of Documents and its First Set
of Interrogatories to AK Steel Corporation ("AK Steel").

Definitions and Instructions

The following definitions and instructions apply and are incorporated into each
request for the production of documents ("Request") and each Interrogatory as though fully set
forth therein:

DEFINITIONS

1. "AK Steel" means AK Steel Corporation and any of its predecessor companies.
2. "B&LE" means the Bessemer and Lake Erie Railroad Company.
3. "DM&IR" means the Duluth, Missabe and Iron Range Railway Company.
4. "Butler facility" means the facility of AK Steel located in Butler, Pennsylvania.
5. "Middletown facility" means the facility of AK Steel located in Middletown, Ohio.
6. "Documents" means any and all writings and recordings as defined in Rule 1001 of the Federal Rules of Evidence, including drafts, typings, printings, minutes or copies or reproductions thereof in the possession, custody or control of Applicants.
7. "Identify" or "identification" means
 - a. With respect to a natural person, his or her name and current or last known home and business address (including street name and number, city or town, state, zip code, and telephone number), and his or her last known job title or position.
 - b. With respect to a person other than a natural person, its full name and type of organization, the address of its principal place of business (including street name and number, city or town, state, zip code, and telephone number), and the jurisdiction and place of its incorporation or organization.
 - c. With respect to a document, the type of document (e.g., letter, record, list, memorandum, report, deposition transcript), its date, title, and contents, the identification of the person who prepared the document, the identification of the person for whom the document

was prepared or to whom it was delivered, and the identification of the person who has possession, custody, or control over the document.

8. "Relating" or "related" to a given subject matter means constitutes, contains, comprises, consists of, embodies, reflects, identifies, states, refers to, deals with, sets forth, proposes, shows, evidences, discloses, describes, discusses, explains, summarizes, concerns, authorizes, contradicts or is any way pertinent to that subject, including, without limitation, documents concerning the presentation of other documents.

9. "Analyses" or "analysis" include any analyses, studies, evaluations, discussions, or reports in whatever form, including letters, memoranda, tabulations, measurements, electronic mail, and computer printouts of data selected from a database.

10. References to railroads, shippers, and other companies include; parent companies; subsidiaries; controlled, affiliated, and predecessor firms; divisions; subdivisions; components; units; instrumentalities; partnerships; and joint ventures.

INSTRUCTIONS

1. Responses and documents produced in response to these Interrogatories and Requests should be provided to the undersigned counsel no later than June 14, 2001.

2. If, in responding to any Request or Interrogatory, you consider any part of the Request or Interrogatory objectionable, you should respond to each part of the Request or Interrogatory not deemed objectionable and set forth separately the part deemed objectionable and the grounds for objection.

3. Unless otherwise specified, all Requests and Interrogatories cover the period from January 1, 1998, to the date of the response and are subject to revision as described in Paragraph 12 of these Instructions.

4. All documents that respond, in whole or part, to any paragraph of a Request should be produced in their entirety. Documents that in their original conditions were stapled, clipped, or otherwise fastened together, should be produced in such form. In addition, all documents are to be produced with the file folders or jackets in which they are maintained.

5. Copies of all electronic (e-mail) documents that respond, in whole or in part, to any paragraph of a Request should be produced with full heading information, including "To," "From," "Subject," and "Date" fields. Any attachments to such documents should be produced in their entirety.

6. If any response to a Request or Interrogatory includes a reference to the Application filed in this proceeding, specify the responsive volume(s) and page numbers(s).

7. All documents should be grouped together according to the individual paragraphs and sub-paragraphs of the Request to which they are responsive.

8. If any of the requested documents cannot be produced in full, produce them to the fullest extent possible, specifying clearly the reasons for your inability to produce the

remainder and stating whatever information, knowledge or belief you have concerning the unproduced portion. If you cannot produce a responsive document because it is no longer in your possession, custody, or control, state the date on which each such document ceased being in your possession, custody or control; describe the disposition of each document and the reason for such disposition; and identify each person presently in possession, custody or control of the document or a copy thereof.

9. If any privilege or protection is claimed as to any information or document, state the nature of the privilege or protection claimed (e.g., attorney-client, work product, etc.) and state the basis for claiming the privilege or protection. For each such document, provide the following information:

- A. the type of document;
- B. the title of the document;
- C. the name, address, and title of each author;
- D. the name, address, and title of each addressee;
- E. all persons to whom copies were sent or distributed and all other persons to whom the document or its contents were disclosed in whole or part;
- F. the date of the document;
- G. the subject matter of the document;
- H. the number of pages;
- I. an identification of any attachments or appendices;
- J. the current location of the document and the name of the current custodian; and
- K. a statement of the basis on which privilege is claimed.

If less than an entire document is claimed to be privileged, furnish a copy of those portions of the document that are not privileged.

10. Use of the singular shall be deemed to include the plural, and vice versa. The terms "and" and "or" should be interpreted as conjunctive, disjunctive, or both, depending on the context, so as to have their broadest meaning. Whenever necessary to bring within the scope of a Request or Interrogatory all information or documents that might otherwise be construed to be outside its scope, the use of a verb in any tense shall be construed as the use of the verb in all other tenses. The term "all" includes "any," and vice versa.

11. If you want clarification concerning any Request or Interrogatory, you are instructed to contact counsel for Great Lakes concerning such clarification reasonably in advance of the response date.

12. These Requests and Interrogatories are continuing in nature, and you are under a duty to supplement or correct any responses that are incomplete or incorrect and otherwise supplement your responses in accordance with 49 C.F.R. § 1114.29

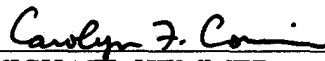
**REQUESTS FOR PRODUCTION OF DOCUMENTS
AND INTERROGATORIES**

1. Please provide copies of all transportation contracts, tariffs, exempt quotations, transportation service agreements, or commercial rate contracts between AK Steel and any railroad relating to all-rail movement of taconite to the Middletown facility.
2. Please provide all documents reflecting or otherwise relating to rates paid by AK Steel in connection with all-rail movement of taconite to the Middletown facility.
3. Please provide any studies, analyses, or other documents relating to AK Steel's decision whether to use an all-rail route or a rail-water-rail route to transport taconite.
4. Please explain with specificity why AK Steel has chosen to use an all-rail route to a greater extent than it uses a rail-water-rail route for movement of taconite to the Middletown facility.
5. Please provide any documents reflecting communications between AK Steel and any railroad (other than DM&IR) relating to the transportation of taconite to the Middletown facility.
6. Please provide copies of all contracts, analyses, and correspondence regarding provision of rail service to the Butler facility. Please include all correspondence, analyses or other documents relating to the potential for Buffalo & Pittsburgh Railroad and/or CSX Transportation to provide service to the Butler facility.
7. Please provide copies of all transportation contracts, tariffs, exempt quotations, transportation service agreements, or commercial rate contracts between AK Steel and any railroad (other than DM&IR) relating to rail movement of any commodity to or from the Butler facility.

8. Please provide all correspondence, memoranda, maps, diagrams, and drawings relating to AK Steel's use of the B&LE rail infrastructure to provide the ability to connect different locations within the Butler facility.

9. Please provide all correspondence, memoranda, analyses, and agreements relating to AK Steel's actual or potential selection of railroads other than the B&LE to provide service to the Butler facility.

10. Please provide all documents relating to AK Steel's decisions whether to use truck or rail transportation to and from the Butler facility.



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Attorneys for Great Lakes
Transportation LLC

June 4, 2001

CERTIFICATE OF SERVICE

I, Carolyn F. Corwin, certify that, on this 4th day of June, 2001, I caused a copy of the foregoing document entitled Great Lakes Transportation LLC's First Requests to AK Steel Corporation for the Production of Documents and First Set of Interrogatories to AK Steel Corporation to be served by hand upon:

Andrew B. Kolesar III
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I also certify that on this 4th day of June, 2001, I caused a copy of the foregoing document to be served by first-class mail, postage prepaid, on the following:

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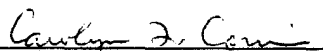
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AKS-4

BEFORE THE
SURFACE TRANSPORTATION BOARD

Canadian National Railway Company,	)	
Grand Trunk Corporation, and WC	)	
Merger Sub, Inc. -- Control and	)	
Merger -- Wisconsin Central	)	
Transportation Corporation,	)	Finance Docket No. 34000
Wisconsin Central Ltd.,	)	
Fox Valley & Western Ltd.,	)	
Sault Ste. Marie Bridge Company,	)	
and Wisconsin Chicago Link Ltd.	)	

**AK STEEL CORPORATION'S RESPONSES AND OBJECTIONS
TO GREAT LAKES TRANSPORTATION LLC'S
FIRST SET OF DOCUMENT PRODUCTION REQUESTS
AND FIRST SET OF INTERROGATORIES**

OF COUNSEL:

Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, D.C. 20036

Dated: June 14, 2001

By: John H. LeSeur
Andrew B. Kolesar III
Slover & Loftus
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Attorneys for AK Steel
Corporation

Canadian National Railway Company,)
Grand Trunk Corporation, and WC)
Merger Sub, Inc. -- Control and)
Merger -- Wisconsin Central)
Transportation Corporation,) Finance Docket No. 34000
Wisconsin Central Ltd.,)
Fox Valley & Western Ltd.,)
Sault Ste. Marie Bridge Company,)
and Wisconsin Chicago Link Ltd.)

Pursuant to 49 C.F.R. Part 1114, AK Steel Corporation ("AK Steel") hereby serves these Responses and Objections to Great Lakes Transportation LLC's ("Great Lakes") June 4, 2001 First Requests for Production of Documents and First Set of Interrogatories.

1. AK Steel is conducting a reasonable search for documents responsive to the document production requests and interrogatories. Subject to the objections set forth herein responsive documents have been or shortly will be made available for inspection and copying in AK Steel's document depository, which is located at the offices of Slover & Loftus, 1224 17th St., N.W., Washington D.C. 20036.

2. The production of information or documents shall not constitute an admission by AK Steel that such information or documents are relevant to this proceeding, or be construed as a waiver of any stated objection.

3. AK Steel will produce documents in accordance with the terms of the protective order served in this proceeding on February 5, 2001.

4. For purposes of these responses and objections, AK Steel will interpret Great Lakes' Definition No. 6 as seeking documents in the possession, custody or control of AK Steel, rather than of the Applicants.

GENERAL OBJECTIONS

1. AK Steel objects to the production of and will not produce information or documents subject to the attorney-client privilege or the attorney work product doctrine.

2. AK Steel objects to the production of and will not produce public information that is readily available to Great Lakes.

3. AK Steel objects to the production of and will not produce information or documents that are as readily obtainable by Great Lakes from its own files or those of its personnel, counsel or consultants.

4. AK Steel objects to each Interrogatory and Document Request to the extent that they seek information or docu-

ments in a form other than that maintained by AK Steel in the ordinary course, or not readily available in the form requested.

5. AK Steel objects to Great Lakes's Definitions and Instructions to the extent that they seek to impose burdens or requirements that exceed those specified in the Discovery Guidelines that govern this proceeding.

6. AK Steel objects to the interrogatories and document requests as overbroad and unduly burdensome to the extent that they seek information or documents for periods prior to January 1, 1999.

7. AK Steel objects to Instruction No. 1 as unduly burdensome, but will nonetheless see to produce answers and responsive documents in an expeditious manner.

8. AK Steel objects to Instruction Nos. 8 and 9 on grounds of burden.

9. AK Steel objects to the document requests and interrogatories to the extent that they call for the preparation of compilations, documents, summaries, analyses or special studies of any sort not already in existence, and AK Steel by its responses does not undertake to prepare or produce special studies.

10. AK Steel objects to the production of, and is not producing, draft verified statements.

11. AK Steel objects to the production of documents or information that is subject to confidentiality agreements with third parties.

**RESPONSES TO REQUESTS FOR
PRODUCTION OF DOCUMENTS AND INTERROGATORIES**

Request No. 1

Please provide copies of all transportation contracts, tariffs, exempt quotations, transportation service agreements, or commercial rate contracts between AK Steel and any railroad relating to all-rail movement of taconite to the Middletown facility.

Response

AK Steel objects to this request on grounds that it seeks information that is not relevant to any issue properly before the Board for resolution in this case, and is not calculated to lead to the discovery of admissible evidence.

Request No. 2

Please provide all documents reflecting or otherwise relating to rates paid by AK Steel in connection with all-rail movement of taconite to the Middletown facility.

Response

AK Steel objects to this request on grounds that it seeks information that is not relevant to any issue properly before the Board for resolution in this case, and is not calculated to lead to the discovery of admissible evidence.

Request No. 3

Please provide any studies, analyses, or other documents relating to AK Steel's decision whether to use an all-rail route or a rail-water-rail route to transport taconite.

Response

AK Steel objects to this request on grounds that it seeks information that is not relevant to any issue properly before the Board for resolution in this case, and is not calculated to lead to the discovery of admissible evidence.

Request No. 4

Please explain with specificity why AK Steel has chosen to use an all-rail route to a greater extent than it uses a rail-water-rail route for movement of taconite to the Middletown facility.

Response

AK Steel objects to this request on grounds that it seeks information that is not relevant to any issue properly before the Board for resolution in this case, and is not calculated to lead to the discovery of admissible evidence.

Request No. 5

Please provide any documents reflecting communications between AK Steel and any railroad (other than DM&IR) relating to the transportation of taconite to the Middletown facility.

Response

AK Steel objects to this request on grounds that it seeks information that is not relevant to any issue properly before the Board for resolution in this case, and is not calculated to lead to the discovery of admissible evidence.

Request No. 6

Please provide copies of all contracts, analyses, and correspondence regarding provision of rail service to

the Butler facility. Please include all correspondence, analyses or other documents relating to the potential for Buffalo & Pittsburgh Railroad and/or CSX Transportation to provide service to the Butler facility.

Response

AK Steel objects to this request as overbroad and unduly burdensome, and to the extent that it seeks sensitive commercial information that is subject to confidentiality restrictions with third parties. Without waiving its objections, AK Steel will produce non-privileged, responsive materials to the extent reasonably available.

Request No. 7

Please provide copies of all transportation contracts, tariffs, exempt quotations, transportation service agreements, or commercial rate contracts between AK Steel and any railroad (other than DM&IR) relating to rail movement of any commodity to or from the Butler facility.

Response

AK Steel objects to this request as overbroad, unduly burdensome, and largely duplicative of Request No. 6. AK Steel further objects to this request on the grounds that it seeks sensitive commercial information that is subject to confidentiality restrictions with third parties. Finally, AK Steel objects to this request as vague and ambiguous to the extent that it references contracts between AK Steel any railroad "other than DM&IR" relating to the movement of any commodity to or from the Butler facility. Without waiving these objections, AK Steel

states that it will produce non-privileged, responsive materials to the extent reasonably available.

Request No. 8

Please provide all correspondence, memoranda, maps, diagrams, and drawings relating to AK Steel's use of the B&LE rail infrastructure to provide the ability to connect different locations within the Butler facility.

Response

AK Steel objects to this request on grounds of relevance. Without waiving this objection, AK Steel states that it will produce non-privileged, responsive materials to the extent reasonably available.

Request No. 9

Please provide all correspondence, memoranda, analyses, and agreements relating to AK Steel's actual or potential selection of railroads other than B&LE to provide service to the Butler facility.

Response

AK Steel objects to this request as overbroad, unduly burdensome, and largely duplicative of Request No. 6. Without waiving these objections, AK Steel states that it will produce non-privileged, responsive materials to the extent reasonably available.

Request No. 10

Please provide all documents relating to AK Steel's decision whether to use truck or rail transportation to and from the Butler facility.

Response

AK Steel objects to this request as overbroad and unduly burdensome, and on grounds of relevance. AK Steel further objects to this request on the grounds that it seeks sensitive commercial information that is subject to confidentiality restrictions with third parties. Without waiving these objections, AK Steel states that it will produce non-privileged, responsive materials to the extent reasonably available.

Respectfully submitted,

OF COUNSEL:

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1224 Seventeenth Street, N.W.
Washington, D.C. 20036

Dated: June 14, 2001

By: John H. LeSeur
Andrew B. Kolesar III 
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Attorneys for AK Steel
Corporation

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served this 14th day of June, 2001 by hand delivery upon:

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I also certify that this 14th day of June, 2001, I served copies of the foregoing document via first-class mail, postage-prepaid upon the following:

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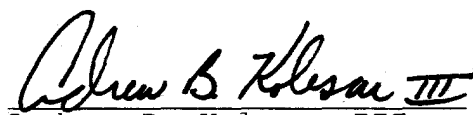
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