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**LAROE, WINN, MOERMAN & DONOVAN**

ATTORNEYS AT LAW

3900 HIGHWOOD COURT, N.W.

WASHINGTON, D. C. 20007

TELEPHONE (202) 298-8100

FAX (202) 298-8200



July 31, 2001

**HAND DELIVERY**

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 Ltd.  
(STB Finance Docket No. 34000)**

Dear Ladies/Gentlemen:

Enclosed herewith is an original and twenty-five copies of Vulcan Chemicals MOTION FOR LEAVE TO FILE CLARIFICATION OF THE RECORD AND CLARIFICATION OF THE RECORD (VUL-3), for filing in the above-captioned proceeding. Please also find a 3.5 inch diskette in WordPerfect 9.0 of the same document.

Very truly yours,

Paul M. Donovan

ENTERED  
Office of the Secretary

JUL 31 2001

Part of  
Public Record

VUL-3



BEFORE THE  
SURFACE TRANSPORTATION BOARD

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STB 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.

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VULCAN CHEMICAL'S  
MOTION FOR LEAVE TO FILE CLARIFICATION OF THE RECORD  
AND  
CLARIFICATION OF THE RECORD

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I. MOTION FOR LEAVE TO FILE CLARIFICATION OF THE RECORD

In its Comments filed June 25, 2001 (VUL-2) Vulcan Chemicals, A Business Unit of Vulcan Materials Company (Vulcan) requested a condition be imposed with respect to its switching arrangements with the Wisconsin Central at Vulcan's Port Edwards, Wisconsin plant. In their Rebuttal statement (CN/WC-16) Applicants correctly point out that the requested condition can be read in a manner not consistent with Vulcan's intent. Solely for the purpose of clarifying the record, and not for the purpose of further arguing its position, Vulcan seeks leave to file the accompanying Clarification of the Record.

## II. CLARIFICATION OF THE RECORD

At pages 3 and 4 of VUL-2, Vulcan notes that it has recently arrived at an arrangement with Wisconsin Central, which is published as at Tariff Supplement, providing for a five-year agreement regarding switching services at Port Edwards. At page 6 of it VUL-2, Vulcan requests a condition that the Board require existing agreement be continued "and further require that those switching tariff charges be increased only to the extent necessary to cover demonstrated increases in the costs of providing those services."

In the Rebuttal, (CN/WC-16 at pages 74-77) Applicants correctly point out that the five-year agreement has its own escalation provisions, and comment that the requested condition sought by Vulcan could be read as seeking to overturn the contractual provisions in effect and impose new terms. Vulcan seeks to clarify that it has no intention of seeking a condition that would, in any way, contravene or supercede the existing agreement between Vulcan and Wisconsin Central. Vulcan's requested condition is sought merely to become effective after the expiration of the existing contractual arrangement.

Respectfully submitted,



Paul M. Donovan  
LAROE, WINN, MOERMAN & DONOVAN  
3900 Highwood Court, N.W.  
Washington, DC 20007  
(202) 298-8100

Counsel for Vulcan Chemicals

### CERTIFICATE OF SERVICE

I hereby certify that I have this 31<sup>st</sup> day of July, 2001, caused to be served a copy of the foregoing document upon all parties of record in this proceeding by first class mail or by a more expeditious manner.

A handwritten signature in cursive script, appearing to read "Paul M. Donovan", written in black ink.

Paul M. Donovan