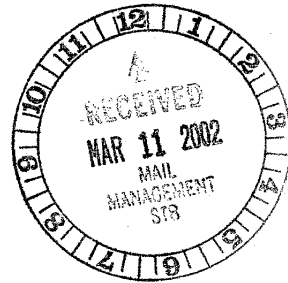


I. C. S.

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February 25, 2002

204/942

Office of the Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

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Office of the Secretary
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Public Record

RE: Duke Energy Corp., vs, Norfolk Southern Railway Co.
STB Docket No. 42069

To Whom It May Concern:

We understand that, in the captioned docket, Duke Energy has requested copies of our contracts with the Norfolk Southern.

We object to the production of the NS/ICS contracts on commercial and confidential grounds. If these contracts have to be produced, we request they be classified as "highly confidential" and be afforded all the protection set forth in the decision reached on February 4, 2002.

Sincerely,

Gerard P. McEvoy
Managing Director

GPM/rb

Cc: George A. Aspatore
General Solicitor – Regulation
Norfolk Southern Corp.
Law Department
Three Commercial Place
Norfolk, VA 23510-9241