

I. C. S.

INTEGRITY COAL SALES, INC.

490 Wheeler Road • Suite 165M - Hauppauge, NY 11788
(631) 582-6340 • Fax: (631) 582-6364
e-mail: integcoal@AOL.com

March 12, 2002

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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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Part of
Public Record



RE: Carolina Power & Light Co., vs. Norfolk Southern Railway Co.
STB Docket No. 42072

To Whom It May Concern:

We understand that, in the captioned docket, Carolina Power & Light 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 as contained in the proposed protective order the Norfolk Southern has filed with the STB.

Sincerely,

Gerard P. McEvoy
Managing Director

GPM/rb

Cc: David A. Shelton
Assistant General Attorney
Norfolk Southern Corp.
Law Department
Three Commercial Place
Norfolk, VA 23510-9241