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March 14, 2002

Surface Transportation Board's
Office of Secretary
1925 "K" Street, N.W.
Washington, D.C. 20423-0001



Re: February 1, 2020, Carolina Power & Light Company's
Complaint with the Surface Transportation Board against
Norfolk-Southern Railway Company, STB Docket No.: 42072

Gentlemen:

We are General Counsel for Glens Falls Lehigh Cement Company, a New York Partnership, having its principal offices at 313 Lower Warren Street, Glens Falls, New York 12801. We understand that, as part of your investigation with regard to the above complaint, Carolina Power & Light Company has requested that Norfolk-Southern Railway Company produce its contract with Glens Falls Lehigh Cement Company.

We note that the contract was written under a full confidentiality provision.

On behalf of Glens Falls Lehigh Cement Company, we object to a copy of our contract being provided to Carolina Power & Light Company. The cost of that contract is an integral part of the cost of coal for our company. Disclosure of that cost would put us at a competitive disadvantage when bidding for coal from other suppliers. Further, we believe that disclosure of the terms will put us at a disadvantage with other manufacturers of cement. We request that our contract be excepted from any disclosure; or, alternatively, that our name, and any identifying aspect of that, including the routing and final designation be redacted from material to be supplied, so that same is simply presented as a contract for a certain product at a certain price with a certain mileage.

Respectfully yours,

ENTERED
Office of the Secretary

MAR 27 2002

Part of
Public Record

LITTLE & O'CONNOR

by: Michael J. O'Connor

MOC/dn
cc: Glens Falls Lehigh Cement Co.

Attn: JoAnn Monroe

Norfolk Southern Company

Attn: David A. Shelton, Esq., Law Dept.

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