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February 26, 2002

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



Re: STB Docket No. 42069

Dear Sir or Madam:

We have been informed that the Norfolk Southern Railway Company ("NS") may be required to produce a copy of Contract No. C-7846 (the "Contract") between NS and Appalachian Power Company ("APCo") in the above referenced proceeding. We further understand that the Contract would be designated "Highly Confidential".

Nonetheless, we are hereby requesting that the STB deny Duke Energy Corporation's motion to compel the production of the Contract. We do not believe that it is appropriate that APCo's competitors can acquire information setting forth APCo's operating costs by filing an action with the STB. Those companies could then use such information to APCo's detriment. Alternatively, we propose that the Contract be redacted to delete financially sensitive material prior to its being produced.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Tim Stanley".

A small, handwritten mark or set of initials, possibly "ms".

Tim Stanley
Manager, Transportation & Marketing
on behalf of Appalachian Power Company

cc: Debra Pickering, Senior Contract Analyst

ENTERED
Office of the Secretary

APR 08 2002

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