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October 7, 2002

By Messenger

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings
OCT 7 2002
Part of
Public Record



Re: ***Duke Energy Corporation v. Norfolk Southern Railway Company, STB
No. 42069***

Dear Mr. Williams:

Enclosed please find 16 copies of the verification of Robert H. Baughman in connection with NS's Reply Evidence and Argument filed on September 30, 2002, in the above-referenced case. Although Mr. Baughman's original, signed verification was included with the unbound, original version of the Reply, the bound copies of the Reply contained unsigned copies of his verification. Also enclosed is an original, signed verification of James W. McClellan. A faxed version of his verification was included with the Reply at pages IV-167 to IV-169. Should you have any questions, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,

A handwritten signature in dark ink, appearing to read "G. Paul Moates".

G. Paul Moates

Enclosures

cc: Counsel for Complainants w/enclosures

BEFORE THE
SURFACE TRANSPORTATION BOARD

DUKE ENERGY CORPORATION,

Complainant,

v.

NORFOLK SOUTHERN RAILWAY COMPANY,

Defendant.

2063758
STB Docket No. 42069



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VERIFICATION AND STATEMENT OF QUALIFICATIONS

ROBERT H. BAUGHMAN, P.E.

My name is Robert H. Baughman. I am a Vice President and Project Manager with Ralph Whitehead Associates, Inc ("RWA"), and am in charge of RWA's Rail Division, which is focused on the freight railway industry. My office address is 1000 W. Morehead, Suite 200, Charlotte, North Carolina 28208.

I am sponsoring a portion of the testimony presented in Part III-F of the foregoing Reply Evidence and Argument of Norfolk Southern Railway Company. ("NS"). I have read the testimony set forth in that section, and the statements contained therein are true and correct to the best of my knowledge, information and belief.

I received a Bachelor of Science degree in civil engineering in 1979 from Ohio Northern University, and a Masters in Business Administration in 1984 from the University of North Carolina at Charlotte. I am a registered Professional Engineer in Alabama, North Carolina, and Ohio. I am also a member of the North Carolina

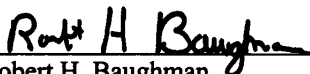
Consulting Engineers Council, the American Society of Civil Engineers, and the National Society of Professional Engineers.

I have 22 years of experience with RWA. As Vice President of the Rail Division, I am responsible for overseeing and directing all of RWA's services to the railway industry. As Project Manager, I have coordinated and/or supervised the preparation of computations, plans, and specifications for numerous multi-million dollar projects ranging from railroad and highway bridge construction, bridge rehabilitation, highway extensions, and road widening. A copy of my resume follows this verification.

I declare under penalty of perjury that the foregoing is true and correct.

Further, I certify that I am qualified and authorized to file this testimony.

Executed on this 21th day of September, 2002.


Robert H. Baughman