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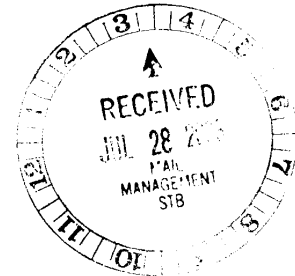
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July 28, 2003



Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 700
Washington, D. C. 20423

RE: Docket No. AB-55 (Sub-No. 631X), *CSX Transportation, Inc.—Abandonment Exemption—in Summit County, OH*

Dear Secretary Williams:

Enclosed are the original and 10 copies CSX Transportation, Inc.'s Response to the Request for Oral Argument in the above-entitled proceeding. Also enclosed are three diskettes containing the Argument Response.

Please time and date stamp the additional copy of this letter and the Argument Response, and return it to our messenger. Thank you for your assistance.

If you have any questions, call or email me.

Sincerely yours,

Louis E. Gitomer
Attorney for CSX Transportation, Inc.

Enclosures

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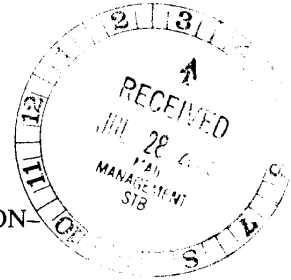
ORIGINAL

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (Sub-No. 631X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN SUMMIT COUNTY, OHIO

RESPONSE TO REQUEST FOR ORAL ARGUMENT



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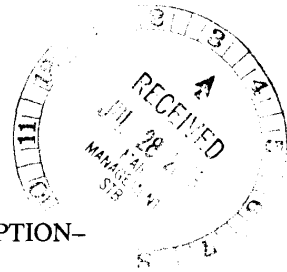
Attorneys for: CSX TRANSPORTATION,
INC.

Dated: July 28, 2003

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-55 (Sub-No. 631X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN SUMMIT COUNTY, OHIO



RESPONSE TO REQUEST FOR ORAL ARGUMENT

CSX Transportation, Inc. ("CSXT") files this Response with the Surface Transportation Board (the "Board") to the Request for Oral Argument dated July 18, 2003 (the "Request") by Terminal Warehouse, Inc. ("Terminal"). CSXT opposes the request for oral argument and requests that it be denied.

CSXT incorporates by reference the facts and background of this proceeding that are set forth in CSXT's Response to Petition to Revoke, which is concurrently being filed in the instant proceeding.

CSXT respectfully requests leave to respond to the request for oral argument because Terminal apparently is seeking oral hearing on the evidence.

Terminal requests oral argument under 49 C.F.R. § 1116. Terminal was not a party to this proceeding when the Board issued the notice of exemption on April 15, 2003. Moreover, Terminal did not request oral argument by May 5, 2003 as required by 49 C.F.R. § 1116.1(c).

Terminal requests oral argument because it expects CSXT to "introduce factual evidence which is in conflict with the supporting information Terminal ... submitted." Terminal also seeks oral argument so that it will be permitted to introduce additional evidence. Request at 2.

CSXT contends that there is no need for a further hearing in this proceeding. Terminal has filed a petition to revoke and included evidence with that petition. In "seeking revocation of ... a notice of exemption" Terminal "shall provide all of its supporting information at the time it files its petition." 49 C.F.R. § 1121.3(c). Terminal has had its opportunity to submit evidence. CSXT is submitting minimal evidence in the concurrently filed response. As a result, Terminal has had its hearing on a written record. See 49 C.F.R. § 1112.1. Both parties have addressed the issue of whether the notice of exemption filed by CSXT complied with the requirements of 49 C.F.R. §1152.50. It is CSXT's conclusion that no further hearing is required and that oral argument is most definitely not necessary or appropriate in this proceeding.

CSXT respectfully requests the Board to deny Terminal's request for oral argument and to deny any request for further hearing that might be inferred from the Request.

Respectfully submitted,

Natalie S. Rosenberg, Esq.
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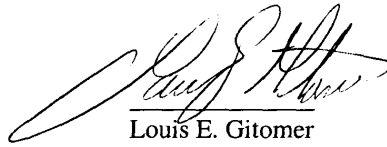
Attorneys for: CSX TRANSPORTATION,
INC.

Dated: July 28, 2003

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this Response in Docket No. AB-55 (Sub-No. 631X), *CSX Transportation, Inc.—Abandonment Exemption—in Summit County, OH* was sent via overnight delivery to:

Frank J. Reed, Jr., Esq.
88 East Broad Street, Suite 900
Columbus, OH 43215

A handwritten signature in black ink, appearing to read "Louis E. Gitomer", written over a horizontal line.

Louis E. Gitomer
July 28, 2003