

September 30, 2003

By Messenger

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K St. N.W.
Washington, D.C. 20423

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RE: STB Finance Docket No. 34342, *The Kansas City Southern Railway Company, Gateway Eastern Railway Company, and The Texas Mexican Railway Company*

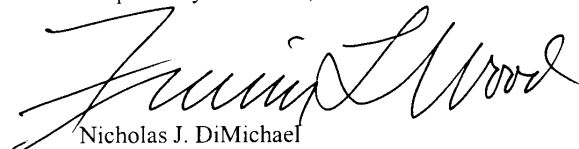
Dear Secretary Williams:

This letter is written on behalf of The National Industrial Transportation League, in response to the Board's Decision No. 9 served in this proceeding on September 23, 2003. The League has actively participated in this proceeding, and is strongly interested in the efficiency, competitiveness and financial soundness of the nation's rail system.

The Board's decision requested the views of interested parties on the question of whether the procedural schedule adopted in Decision No. 2 (served June 9, 2003) should be suspended. The League recognizes the uncertainties surrounding the transaction which is the subject of this proceeding, as described in Decision No. 9 at 3-4. It is the position of the League that, in light of these uncertainties, the procedural schedule should be suspended until those uncertainties are removed.

As indicated in the League's Comments filed on August 4 (NITL-3), KCS has entered an agreement with the League that will provide certain protections for League members and other rail shippers. The League believes that this agreement will be an important element that will enhance the benefits of the proposed acquisition of control of Tex Mex by KCS. The League and its members believe that the NITL-KCS Agreement is valuable, and expect that if and when the present uncertainties surrounding this transaction are removed, the way will be clear for its implementation.

Respectfully submitted,



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cc: Parties of Record

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