

# FLETCHER & SIPPEL LLC

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## VIA FEDERAL EXPRESS

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W., Room 700  
Washington, DC 20006

ENTERED  
Office of Proceedings

APR 16 2004

Part of  
Public Record



Phone: (312) 252-1500  
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21063)

Re: **Finance Docket No. 33388 (Sub-No. 91)**  
**CSX Corporation and CSX Transportation, Inc., Norfolk Southern**  
**Corporation and Norfolk Southern Railway Company -- Control and**  
**Operating Leases/Agreements -- Conrail Inc. and Consolidated Rail**  
**Corporation (General Oversight)**

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of Wheeling & Lake Erie Railway Company's Notice of Intent to Speak at May 3, 2004 Public Hearing, dated April 14, 2004.

One extra copy of this transmittal letter and the Notice of Intent to Speak are included as well. I would request that you date-stamp those copies to show receipt of this filing and return them to me in the provided envelope.

Please contact me if you have any questions.

Respectfully submitted,

William C. Sippel  
Attorney for Wheeling & Lake Erie  
Railway Company

WCS/pj

Enclosures

cc: Parties on Certificate of Service

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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FINANCE DOCKET NO. 33388 (SUB-NO. 91)

CSX CORPORATION AND CSX TRANSPORTATION, INC.,  
NORFOLK SOUTHERN CORPORATION AND  
NORFOLK SOUTHERN RAILWAY COMPANY  
-- CONTROL AND OPERATING LEASES/AGREEMENTS --  
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

(GENERAL OVERSIGHT)

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**WHEELING & LAKE ERIE RAILWAY COMPANY'S  
NOTICE OF INTENT TO SPEAK AT MAY 3, 2004 PUBLIC HEARING**

William A. Callison  
Vice President Law & Government Affairs  
Wheeling & Lake Erie Railway Company  
100 East First Street  
Brewster, Ohio 44613  
(330) 767-3401

William C. Sippel  
Thomas J. Litwiler  
Fletcher & Sippel LLC  
29 North Wacker Drive, Suite 920  
Chicago, Illinois 60606-2832  
(312) 252-1500

**ATTORNEYS FOR WHEELING & LAKE ERIE  
RAILWAY COMPANY**

Dated: April 15, 2004



BEFORE THE  
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 33388 (SUB-NO. 91)

CSX CORPORATION AND CSX TRANSPORTATION, INC.,  
NORFOLK SOUTHERN CORPORATION AND  
NORFOLK SOUTHERN RAILWAY COMPANY  
-- CONTROL AND OPERATING LEASES/AGREEMENTS --  
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

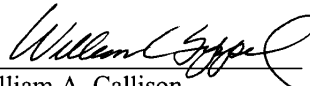
(GENERAL OVERSIGHT)



**WHEELING & LAKE ERIE RAILWAY COMPANY'S**  
**NOTICE OF INTENT TO SPEAK AT MAY 3, 2004 PUBLIC HEARING**

Pursuant to the Board's Decision No. 12 served February 12, 2004, Wheeling & Lake Erie Railway Company ("W&LE") hereby notifies the Board of its intent to speak at the May 3, 2004 public hearing in this proceeding. Larry Parsons, Chairman and Chief Executive Officer of W&LE, will speak on behalf of W&LE and requests ten (10) minutes to speak.

Respectfully submitted, ~

By: 

William A. Callison  
Vice President Law & Government Affairs  
Wheeling & Lake Erie Railway Company  
100 East First Street  
Brewster, Ohio 44613  
(330) 767-3401

William C. Sippel  
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**ATTORNEYS FOR WHEELING & LAKE ERIE  
RAILWAY COMPANY**

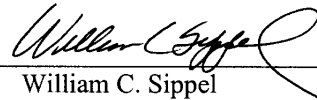
Dated: April 15, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of April, 2004, a copy of **Wheeling & Lake Erie Railway Company's Notice of Intent to Speak at May 3, 2040 Public Hearing** was served by overnight delivery upon:

Dennis G. Lyons  
Arnold & Porter  
555 12<sup>th</sup> Street, N.W.  
Washington, DC 20004-1202

Richard A. Allen  
Zuckert, Scoutt & Rasenberger, LLP  
888 Seventeenth Street, N.W.  
Suite 600  
Washington, DC 20006-3939

  
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William C. Sippel