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June 24, 2004

BY FACSIMILE

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

ENTERED
Office of Proceedings

JUN 28 2004

Part of
Public Record

211441

**Re: Finance Docket No. 27590 (Sub-No. 3),
Application of TTX Company for Approval of
Pooling of Car Service With Respect to Flatcars**

Dear Secretary Williams:

We have received a letter from counsel for First Union Rail Corporation, David J. Joseph Co., and Bombardier Capital Rail Inc., requesting that the Board extend the date for oral argument until July 28, 2004. That request is based in significant part on the "need for more time to digest [TTX's] lengthy rebuttal in order to be in a position to adequately respond to questions raised by the Board on issues raised by that rebuttal."

This request is not justified. First Union was one of the two parties that requested oral argument in this case. Moreover, TTX's Rebuttal was filed almost six weeks ago, on May 12, and all three of the parties that now claim to need more time to "digest" the Rebuttal joined (on June 1) in submitting "Certain Commenting Parties Motion for Leave to Supplement the Record and Submission of Additional Facts." That document represented that these parties had *already* reviewed TTX's Rebuttal, purported to provide additional facts needed for a "full understanding of certain specific factual issues raised by TTX in its Rebuttal," and again expressed eagerness to address those issues at oral argument.

TTX is prepared to go forward with oral argument on July 7, in accord with the Board's order of June 22, and sees no justification for delay.

Sincerely,

David L. Meyer

cc: All Parties of Record