

ZUCKERT SCOUTT & RASENBERGER, L.L.P.

ATTORNEYS AT LAW

888 Seventeenth Street, NW, Washington, DC 20006-3309

Telephone [202] 298-8660 Fax [202] 342-0683

www.zsrlaw.com

SCOTT M. ZIMMERMAN

August 17, 2004

BY HAND DELIVERY

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

ENTERED
Office of Proceedings

AUG 17 2004



Re: CSX Corp. et al. – Control and Operating Leases/Agreements – Conrail Inc. et al., Finance Docket No. 33388 (Sub-Nos. 95 through 99); Wheeling & Lake Erie Railway Company–Lease and Operation Exemption–Norfolk and Western Railway Co.’s Dock at Huron, OH, Finance Docket No. 32516 (Sub-No. 1); Wheeling & Lake Erie Railway Company–Trackage Rights Exemption–Norfolk and Western Ry., Finance Docket No. 32525 (Sub-No. 1).

Dear Secretary Williams:

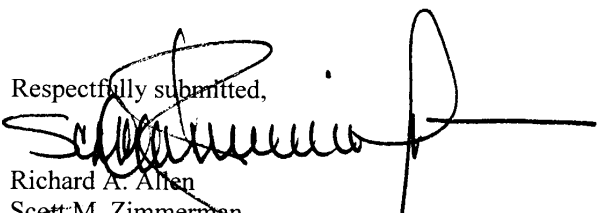
We are writing on behalf of Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, “Norfolk Southern”) and the Wheeling & Lake Erie Railway Company (“W&LE”) to clarify a statement in the Joint Petition filed by Norfolk Southern and W&LE on August 6, 2004 in the referenced dockets.

At page 25, in the paragraph summarizing W&LE’s grant of trackage rights to Norfolk Southern between Clairton, PA and Bellevue, OH (the transaction to which the notice of exemption in Finance Docket No. 33388 (Sub-No. 98) pertains), the Joint Petition states: “W&LE will use its best efforts to permit NS to obtain the trackage rights between Jewett and Bowerston, reflecting the fact that W&LE’s rights over that segment are themselves trackage rights over the Ohio Central Railroad.” Norfolk Southern and W&LE wish to clarify that the referenced line segment between Jewett and Bowerston, over which W&LE has trackage rights, is owned by the State of Ohio and is operated by The Columbus & Ohio River Rail Road Company (“C&OR”), which is an operating affiliate railroad of the Ohio Central Railroad System. The C&OR is the actual grantor of the W&LE’s present trackage rights over that segment.

ZUCKERT SCOUTT & RASENBERGER, L.L.P.

The Hon. Vernon A. Williams
August 17, 2004
Page 2

Respectfully submitted,



Richard A. Allen
Scott M. Zimmerman
*Attorneys for Norfolk Southern Corporation
and Norfolk Southern Railway Company*

cc: William A. Callison, Esq.
William C. Sippel, Esq.
Mary Gabrielle Sprague, Esq.