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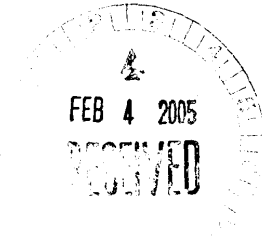
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February 4, 2005

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Public Record

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Washington, DC 20423

RE: Finance Docket No. 34536, *Indiana & Ohio Central Railroad, Inc.—Acquisition and Operation Exemption—CSX Transportation, Inc.*

Dear Secretary Williams:

In the Response filed on February 2, 2005, the Indiana & Ohio Central Railroad, Inc. ("IOCR") discussed the trackage rights retained by CSX Transportation, Inc. ("CSXT") at page 12. There, IOCR stated "CSXT has retained trackage rights over a 28.65-mile portion of the Line in order to serve three shippers who entered contracts with CSXT. Supplement at pages numbered 27, 52 and 53. It is common practice for the transferor to retain trackage rights when it involves a contract move over the transferor's system and results in more efficient service to the shipper than an interchange with the transferee."

Upon further review of the agreements between IOCR and CSXT, IOCR must correct the record concerning the reason that CSXT retained trackage rights as follows.

Instead of retaining trackage rights to serve shippers, CSXT retained trackage rights "incident to the conduct of interchange ... at Bloomingburg." Supplement at page numbered 53. CSXT's use of the retained trackage rights is restricted to "access to IOCR's Haynes Siding for purposes of conducting interchange between the parties...." Supplement at page numbered 53. IOCR and CSXT have determined that the Haynes Siding is the most efficient location for interchange between the parties for traffic moving to and from Columbus, OH.

Interchange at a location other than at the point where railroads lines connect is a common practice. The Board has recognized the "Custom requires the receiving railroad in a direct physical interchange to designate a point on its own line where it will receive traffic and to provide a free route over its tracks to that point for the delivering carrier. *Burlington N. R.R. v. United States*, 731 F.2d 33, 38 (D.C. Cir. 1984)." *Norfolk Southern Railway Company—Petition for Declaratory Order – Interchange with Reading Blue Mountain & Northern Railroad*

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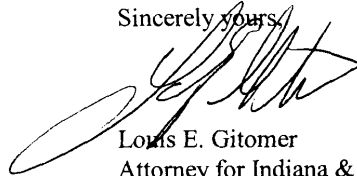
Company, STB Docket No. 42078 (STB served April 29, 2003), at 4. Hence, the retained trackage rights are not an unusual feature, nor do they give CSXT any significant control over IOCR's operation; they are merely a typical arrangement for efficient interchange.

IOCR apologizes for any inconvenience its previous misstatement may have caused the Board.

Enclosed for filing are the original and ten copies of this letter. Please time and date stamp the extra copy of this letter and return it with our messenger. Thank you for your assistance.

If you have any questions, please contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "L. Gitomer", with a large, sweeping flourish extending to the left.

Louis E. Gitomer
Attorney for Indiana & Ohio Central
Railroad, Inc.

cc: Parties of record