

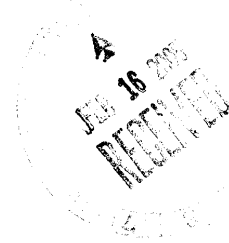
213302

CF Industries, Inc.

ONE SALEM LAKE DRIVE
LONG GROVE, ILLINOIS 60047
847/438-9500

February 15, 2005

The Honorable Roger Nober
Chairman
Surface Transportation Board
1925 K St. N.W.
Washington, D.C. 20423



RE: STB Finance Docket No. 34662, *CSX Transportation, Inc – Petition for Declaratory Order*

Dear Chairman Nober:

CF Industries, Inc. (CF) is a major producer and distributor of nitrogen and phosphate fertilizer products. The Company operates world-scale nitrogen fertilizer plants in Donaldsonville, Louisiana, and Medicine Hat, Alberta, Canada. Phosphate manufacturing and mining operations are located in central Florida, and CF-owned and operated fertilizer distribution facilities are located in 10 states. CF is owned by and serves eight regional cooperatives and is headquartered in Long Grove, Illinois.

CF distributes via rail significant quantities of vital plant nutrients. One of these products, anhydrous ammonia, is characterized as a "hazardous material" and is subject to comprehensive safety and security regulatory oversight by the Department of Transportation. Therefore, CF has a strong interest in any ordinance or law (municipal, state or federal) that affects the movement of this product. CF is also a member of The Fertilizer Institute (TFI), and supports their comments filed on behalf of the industry regarding this docket.

CF endorses the request filed by CSX Transportation, Inc. (CSX) for a Declaratory Order. CF agrees with CSX that the ordinance titled the "Terrorism Prevention in Hazardous Materials Transportation Emergency Act of 2005" promulgated by the City Council of the District of Columbia on February 1, 2005 is preempted by Section 10501 of the ICC Termination Act of 1995 (ICCTA).



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CF concurs with CSX that enforcement of the DC Ordinance would invite other local jurisdictions to enact similar measures. Enforcement of the DC Ordinance could severely impair the interstate shipment of critically important materials and would result in increased handling and longer transit times and distances, thereby actually increasing the inherent risk.

Transportation of hazardous materials is presently covered by a comprehensive set of federal regulations, designed to promote safe and efficient interstate transportation of critically important commodities. CF joins CSX in urging the Board to issue an order declaring that the DC Ordinance is preempted by Section 10501 of ICCTA.

Respectfully,



F. A. Mugica
Vice President Supply &
Logistics
CF Industries, Inc.
One Salem Lake Drive
Long Grove, IL 60047

Cc: Mr. Clarence W. Gooden
Executive Vice President and
Chief Commercial Officer
CSX Transportation, Inc
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