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February 25, 2005

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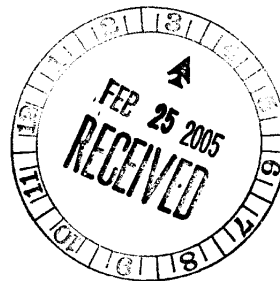
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Public Record

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



Re: STB Ex Parte No. 290 (Sub-No. 4),
Railroad Cost Recovery Procedures -
Productivity Adjustment

Dear Secretary Williams:

Enclosed please find an original and ten (10) copies of the Comments of the Western Coal Traffic League in the above-referenced proceeding.

If there are any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

Robert D. Rosenberg

Robert D. Rosenberg
An Attorney for Western
Coal Traffic League

RDR:kaw
Enclosures

cc: Service List

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Public Record

Ex Parte No. 290 (Sub-No. 4)

Dated: February 25, 2005

In the Matter of:

Ex Parte No. 290 (Sub-No. 4)

In response to the Board's decision in the above-captioned proceeding served February 2, 2005, as corrected by the decision served February 18, 2005, the Western Coal Traffic League ("WCTL")¹ states that the Board's calculation of 2003 productivity growth at 1.019 appears to be correct under the Board's established methodology. In particular, WCTL agrees that fixed charges and contingent interest should be included in the 2003 inputs, especially as they were included in the 2002 inputs, and their inclusion is part of the established methodology.

¹WCTL is a voluntary association, whose regular membership consists entirely of utility shippers of coal mined west of the Mississippi River that is transported by rail. WCTL members presently ship and receive in excess of 100 million tons of coal by rail each year. A list of WCTL's regular members is attached as Exhibit A.

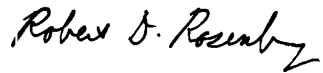
operational targets, that those workforce reductions were achieved at a significant cost at the time, and those workforce reductions left UP very vulnerable to substantial service problems that emerged in 2004 as UP was unable to fulfill its service commitments. CSXT appears to be suffering from operating difficulties that have continued for a number of years.

Accordingly, WCTL concludes that the multiple-year productivity average (2.9%) calculated by the Board, while perhaps technically sound, is nonetheless suppressed due to the problems with the Conrail transaction and other suspect actions by railroad management. WCTL is further concerned by the apparent absence of any meaningful prudence or similar standard in the STB's cost regulation notwithstanding the language of 49 U.S.C. § 10704 that revenue levels are to be established "under honest, economical, and efficient management."

Respectfully submitted,

WESTERN COAL TRAFFIC LEAGUE

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Dated: February 25, 2005

Its Attorneys

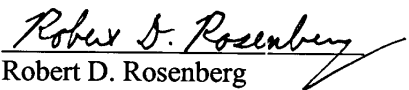
EXHIBIT A

WESTERN COAL TRAFFIC LEAGUE MEMBERS

Alliant Energy
AmerenEnergy Fuels and Services
Arizona Electric Power Cooperative, Inc.
Associated Electric Cooperative, Inc.
Cleco Corporation
City of Austin, Texas
City Public Service Board of San Antonio
Kansas City Power & Light Company
Lower Colorado River Authority
MidAmerican Energy Company
Minnesota Power
Nebraska Public Power District
Omaha Public Power District
Texas Genco, LP
Texas Municipal Power Agency
Westar Energy
Western Farmers Electric Cooperative
Western Fuels Association, Inc.
Wisconsin Public Service Corporation
Xcel Energy

Certificate of Service

I hereby certify that today, February 25, 2005, copies of the foregoing Comments of the Western Coal Traffic League have been served on all parties of record in this proceeding by first class mail, postage prepaid, in accordance with the Board's Rules of Practice.


Robert D. Rosenberg