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**American Short Line and
Regional Railroad Association**

The Voice of America's Independent Railroads

July 12, 2006

Honorable Vernon Williams
Secretary
Surface Transportation Board
Room 715
1925 K Street N.W.
Washington, D.C. 20423

Re: STB Ex Parte No. 575: Review of Rail Access and Competition Issues – Renewed
petition of the Western Coal Traffic League

SUMMARY OF ROGER BELL TESTIMONY

Dear Secretary Williams:

Below is a summary of the testimony Roger Bell intends to give at the above referenced
hearing on July 27, 2006 as required by the Board's June 1, 2006 Decision:

As President and C.E.O. of CAGY INDUSTRIES INC. Mr. Bell operates rail lines under
agreements with Class I railroads which contain interchange limitations. He was fully aware of
those restrictions at the time he negotiated the agreements and believes he would not have been able
to obtain the lines or at best would have obtained them with less favorable terms had the restrictive
provisions not been a part of the deals. He believes the terms he struck also were in the best
economic interest of the rail lines' shippers. Since the inception of these agreements he has found
the Class I railroad participants to be cooperative and flexible in considering the short lines' needs
and requests. He opposes any effort to substitute a regulatory restriction in place of the ability of
railroads to freely negotiate voluntary agreements which reflect the needs of the marketplace.

Respectfully,

Keith T. Borman

Keith T. Borman
Vice President & General Counsel

cc: Roger Bell