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KANSAS CITY SOUTHERN

MAILING ADDRESS PO BOX 219335 • KANSAS CITY MO 64121-9335

MICHAEL R. HAVERTY
CHAIRMAN AND
CHIEF EXECUTIVE OFFICER



July 23, 2007

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Re: *Establishment of A Rail Energy Transportation Advisory Committee*
STB Ex Parte No. 670

Dear Secretary Williams:

Consistent with its testimony at the July 18, 2007 public hearing in Kansas City, MO in STB Ex Parte No. 672, The Kansas City Southern Railway Company ("KCSR") is pleased that the Surface Transportation Board ("STB") is establishing a Rail Energy Transportation Advisory Committee ("RETAC") to continue the dialogue between the rail and energy industries. KCSR hereby nominates Mr. Darin Selby, Assistant Vice President – Coal Sales & Marketing, for one of the RETAC positions that is designated for a representative of a Class I railroad.

Darin is well qualified to make a significant contribution to the RETAC by virtue of both his present position in coal marketing and his background in customer service and rail operations. Darin has served as KCSR's Assistant Vice President in charge of the coal business unit since February 2005. In that position, he interacts regularly with coal customers and with KCSR's operating department to make certain that coal shipments are handled smoothly to meet customer needs.

Darin's background provides him a broad practical knowledge of customer service and railroad operations that would be useful to the RETAC. His previous two positions with KCSR involved customer interface and communication. Moreover, Darin joined KCSR as an assistant trainmaster, directly managing train crews providing service to our customers. Before joining KCSR, Darin had worked 8 years with a large short line carrier. During his tenure there, he worked as a train dispatcher and as a conductor/brakeman. While working for the short line, Darin earned a Bachelor of Science in Business Management and a Masters of Business Administration, both from Emporia State University.

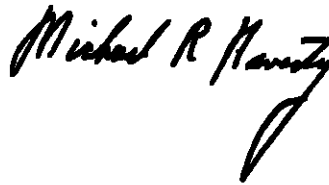
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KCSR believes that Darin's background makes him an ideal candidate to make a significant contribution to the RETAC. If he is selected as a member of the RETAC, he has agreed to serve a two year term and understands that the STB will not provide any honoraria, salary, or travel or per diem reimbursement for his services. Mr. Selby was KCSR's witness at the July 18 hearing and is very familiar with the issues likely to be dealt with by the RETAC. The RETAC would benefit from his common sense approach to those issues.

If there are any questions concerning this nomination or if the Board desires more information about Mr. Selby's background, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, reading "Michael R. Haverty". The signature is written in a cursive style with a large, stylized "H" at the end.

Michael R. Haverty