

July 26, 2010

via electronic filing

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

**RE: Docket No. NOR 42121, Total Petrochemicals USA, Inc. v. CSX
Transportation, Inc.**

Dear Ms. Brown:

Enclosed for filing in the above-captioned case please find the First Amended Complaint of Total Petrochemicals USA, Inc. This First Amended Complaint is identical to the Original Complaint filed by TPI on May 3, 2010, except that Exhibit B has been modified as follows:

1. Lanes 37 and 56 of the Original Exhibit B have been deleted and replaced with two new lanes in the Amended Exhibit B.
2. Lanes 100-115 have been added to the Amended Exhibit B.

These changes result in the deletion of two lanes from the Original Complaint, and the addition of eighteen lanes in the Amended Complaint.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Jeffrey O. Moreno
David E. Benz
Counsel for Total Petrochemicals USA, Inc.

Enclosure

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

TOTAL PETROCHEMICALS USA, INC.	)	
	)	
Complainant,	)	
	)	
v.	)	Docket No. NOR-42121
	)	
CSX TRANSPORTATION, INC.	)	
	)	
Defendant.	)	
	)	

FIRST AMENDED COMPLAINT

COMES NOW Complainant, TOTAL PETROCHEMICALS USA, INC. (“TPI”), 1201 Louisiana Street, Suite 1800, Houston, TX 77002, pursuant to 49 CFR § 1111.2(a), and files this First Amended Complaint against Defendant, CSX Transportation, Inc. (“CSXT”), 500 Water Street, Jacksonville, Florida 32202. TPI brings this Amended Complaint pursuant to 49 USC §§ 10701, 10704, 10707, 11701 and 11704, and 49 CFR Part 1111. TPI requests that the Surface Transportation Board (“STB” or “Board”) prescribe reasonable rates and service terms for CSXT’s transportation of the movements set forth in Exhibits A and B of this Amended Complaint. TPI asks the Board to award damages, plus interest, to the extent that TPI has paid or will pay common carrier rates in excess of a reasonable maximum rate for such transportation, beginning on July 1, 2010. TPI asks this Board to determine the reasonableness of CSXT’s rates using the constrained market pricing principles and procedures adopted in *Coal Rate Guidelines—Nationwide*, Ex Parte No. 347 (Sub-No. 1), 1 I.C.C. 2d 520 (1985), as further refined and applied in subsequent decisions issued by the Interstate Commerce Commission and the Board.

In support of this Amended Complaint, TPI states as follows:

The Parties

1. TPI is a corporation organized under the laws of the State of Delaware, with its principal place of business in Houston, Texas. TPI, which is part of the chemical branch of Total S.A., is a producer of polypropylene, polyethylene, styrenics (including polystyrene), base chemicals, and transportation fuels at facilities in Texas and Louisiana. TPI is a major user of rail service to transport its products to customers throughout the continental United States, Canada and Mexico.

2. CSXT is a Class I common and contract carrier by railroad that engages in the transportation of property in interstate and intrastate commerce. Its headquarters are in Jacksonville, Florida. CSXT is subject to the Interstate Commerce Commission Termination Act of 1995 (49 USC §§ 10101 *et seq.*) and to the jurisdiction of the Board.

Description of the Issue Movements

3. In this Amended Complaint, TPI challenges the reasonableness of CSXT's rates for the movement of polypropylene, polystyrene, polyethylene, and styrene and base chemicals between 120 origin and destination pairs set forth in Exhibits A and B.

4. CSXT transports the commodities between the points identified in Exhibit A in single line service.

5. CSXT transports the commodities between the points identified in Exhibit B in joint line service. CSXT has published AAR Accounting Rule 11 rates for these movements.

The Challenged Rates

6. In 2007, CSXT and TPI entered into a contract that, over the two-year term of the agreement, increased rates by 38% (volume weighted). As a consequence of CSXT's rate increases, TPI's ability to compete in markets the CSXT serves was impaired.

7. In 2009, TPI and CSXT entered into negotiations for a new contract. CSXT demanded rate increases of another 8.3% (volume weighted). In some lanes, the contract rates offered by CSXT represented increases of more than 100% compared to the expiring contract rates and R/VC ratios over 800%. In total, CSXT's 2009 contract offer represented a 49% (volume weighted) increase in its rates to TPI, excluding fuel surcharges, since 2007. CSXT insisted that these were "market" rates for rail transportation of TPI's commodities and rejected TPI's counter-proposals.

8. Due to a lack of options and the impending contract expiration, TPI reluctantly agreed to a new contract at the rates offered by CSXT for a term of nine months that expired on June 30, 2010. During that time, TPI concluded that CSXT's rates are far above reasonable levels.

9. On March 24, 2010, TPI initiated contract renewal negotiations with CSXT by proposing new contract rates that would become effective upon expiration of the then-current contract on June 30, 2010. Having concluded that CSXT's then-current contract rates were unreasonable, TPI proposed rate reductions. CSXT informed TPI that it could not agree to those rates and repeated its assertion during the 2009 contract negotiations that CSXT's current rates are competitive with the "market." TPI agreed to CSXT's request for additional time to present a counter-proposal, despite substantial doubts that CSXT's counter-proposal would be

acceptable. On April 30, 2010, CSXT submitted a counter-proposal to TPI that would impose further rate increases upon CSXT's already unreasonably high current contract rates.

10. Because TPI and CSXT are unable to agree upon new contract rates, TPI must pay CSXT's public tariff rates, which are the rates identified in Exhibits A and B, effective July 1, 2010. These rates produce R/VC ratios over 1100% on four lanes; over 500% on twenty-four lanes; and over 400% on eighty-four lanes. All but two lanes in Exhibits A and B produce R/VC ratios greater than 300%. TPI challenges these rates as unreasonable.

Jurisdictional Allegations

11. CSXT possesses market dominance over the movements in Exhibits A and B. Therefore, pursuant to 49 USC § 10707, the Board has jurisdiction over the rates and services provided by CSXT and challenged by TPI as unreasonable.

12. The rates charged by CSXT and challenged by TPI for each of the movements in Exhibits A and B exceed 180 percent of CSXT's variable cost for the service requested by TPI, as determined in accordance with 49 USC § 10707(d)(1).

13. There is a lack of effective competition from other rail carriers for each of the movements in Exhibits A and B because CSXT is the only rail carrier that provides service at either the origin or the destination. There is a lack of effective competition from non-rail modes for each of the movements in Exhibits A and B.

Requested Relief

14. CSXT's common carrier rates for handling the movements in Exhibits A and B are unreasonable and violate 49 USC §§ 10701(d)(1) and 10702, which require CSXT to establish reasonable rates. The Board should order CSXT to cease these violations and it should prescribe maximum reasonable rates pursuant to 49 USC § 10704(a)(1).

15. The Board should award reparations to TPI, as provided under 49 USC § 11704(b). The reparations should compensate TPI for any and all amounts paid in excess of the reasonable rates prescribed by the Board pursuant to this proceeding, plus interest.

16. The Board should prescribe a maximum reasonable rate and award reparations for a combined period of ten years, beginning July 1, 2010.

17. This Amended Complaint includes any and all adjustments to the challenged rates, including adjustments to the applicable fuel surcharges, and any new rates established by CSXT for the services described herein.

WHEREFORE, TOTAL PETROCHEMICALS USA, INC. prays that the Board:

(1) require Defendant, CSX Transportation, Inc., to answer the charges alleged herein;

(2) assign this Amended Complaint for hearing under 49 CFR Part 1111 and the stand-alone cost approach adopted in *Coal Rate Guidelines—Nationwide*, Ex Parte No. 347 (Sub-No. 1), 1 I.C.C. 2d 520 (1985);

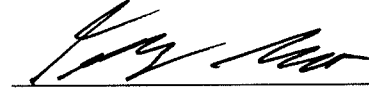
(3) after due hearing and investigation, find that the CSXT's common carrier rates applicable to the transportation of the commodities and movements in Exhibits A and B of this Amended Complaint are unreasonable;

(4) prescribe just and reasonable rates and related rules and service terms for the future applicable to the rail transportation of the TPI traffic in Exhibits A and B, pursuant to 49 USC §§ 10704(a)(1) and 11701(a);

(5) award TPI reparations, plus applicable interest, in accordance with 49 USC § 11704 for unlawful rates set by CSXT for the period beginning July 1, 2010 to the effective date of a decision by the Board prescribing just and reasonable rates; and

(6) grant such other and further relief to TPI as the Board may deem just and proper under the circumstances.

Respectfully submitted,



Jeffrey O. Moreno
David E. Benz
Thompson Hine LLP
1920 N Street, N.W., Suite 800
Washington, D.C. 20036
(202) 331-8800

July 26, 2010

CSX LOCAL MOVES

Origin		Destination		Route (5)	Commodity Description (6)	STCC (7)	CSXT Rate		CSXT Tariff Number (9)	CSXT Rate FSC @ \$0.20		R/V C Ratio (12)
City (1)	ST (2)	City (3)	ST (4)				IQ10 (8)	IQ10 (10)		Incl. FSC IQ10 (11)		
1. SOCIAL CIRCLE	GA	COVINGTON	GA	CSXT	Polypropylene	2821139	\$3,300		CSXT28211	\$2	\$3,302	623%
2. CRAWFORDSVILLE	IN	ATHERTON	IN	CSXT	Polypropylene	2821139	\$2,714	\$14	CSXT28211	\$14	\$2,728	414%
3. SOCIAL CIRCLE	GA	ATHENS	GA	CSXT	Polypropylene	2821139	\$3,300	\$22	CSXT28211	\$22	\$3,322	450%
4. SOCIAL CIRCLE	GA	CONYERS	GA	CSXT	Polypropylene	2821139	\$3,300	\$4	CSXT28211	\$4	\$3,304	588%
5. CHICAGO	IL	EVANSVILLE	IN	CSXT	Polypropylene	2821139	\$4,863	\$58	CSXT28211	\$58	\$4,921	443%

CSX JOINT MOVES

Origin		Destination		Route	Commodity Description	CSXT Rate		FSC @ \$0.20		CSXT Rate	
City	ST	City	ST			IQ10	STCC	IQ10	IQ10	Incl. FSC	RVC Ratio
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	
1. MEMPHIS	TN	SOCIAL CIRCLE	GA	BNSF MEMPH CSXT SOCIR GRWR	Polypropylene	2821139	\$5,574	\$114	\$5,688	383%	
2. MEMPHIS	TN	EVANSVILLE	IN	BNSF MEMPH CSXT	Polypropylene	2821139	\$4,786	\$79	\$4,865	437%	
3. NEW ORLEANS	LA	COVINGTON	GA	CN NEWOR CSXT	Polystyrene	2821140	\$5,841	\$107	\$5,948	426%	
4. CHICAGO	IL	CLINTON	IN	BNSF CHGO CSXT	Polypropylene	2821139	\$3,682	\$34	\$3,716	568%	
5. NEW ORLEANS	LA	AMPTHILL	VA	BNSF NEWOR CSXT	Polyethylene HD	2821142	\$8,884	\$217	\$9,101	362%	
6. MEMPHIS	TN	BOWLING GREEN	KY	BNSF MEMPH CSXT	Polypropylene	2821139	\$4,959	\$62	\$5,021	534%	
7. NEW ORLEANS	LA	CONYERS	GA	CN NEWOR CSXT	Polystyrene	2821140	\$5,841	\$105	\$5,946	433%	
8. NEW ORLEANS	LA	WASHINGTON	GA	BNSF NEWOR CSXT BRNET GWRC	Polypropylene	2821139	\$7,807	\$125	\$7,932	491%	
9. NEW ORLEANS	LA	ATHENS	GA	BNSF NEWOR CSXT	Polypropylene	2821139	\$5,841	\$113	\$5,954	409%	
10. MEMPHIS	TN	OLD HICKORY	TN	BNSF MEMPH CSXT VINHI NERR	Polypropylene	2821139	\$5,155	\$51	\$5,206	600%	
11. NEW ORLEANS	LA	HOPE HULL	AL	CN NEWOR CSXT	Polystyrene	2821140	\$4,238	\$62	\$4,300	456%	
12. NEW ORLEANS	LA	SARASOTA	FL	BNSF NEWOR CSXT ONECO SGLR	Polypropylene	2821139	\$8,306	\$166	\$8,472	418%	
13. MEMPHIS	TN	GLASGOW	KY	CN MEMPH CSXT	Polystyrene	2821140	\$4,959	\$68	\$5,027	499%	
14. NEW ORLEANS	LA	WINCHESTER	VA	CN NEWOR CSXT	Polystyrene	2821140	\$9,033	\$259	\$9,292	317%	
15. CHICAGO	IL	ORANGEBURG	NY	BNSF CHGO CSXT	Polyethylene HD	2821142	\$7,346	\$186	\$7,532	343%	
16. NEW ORLEANS	LA	GALLOWAY	FL	CN NEWOR CSXT	Aromatics (Styrene)	2818342	\$6,819	\$152	\$6,971	363%	
17. CHICAGO	IL	ANDERSON	IN	BNSF CHGO CSXT	Polypropylene	2821139	\$3,837	\$47	\$3,884	490%	
18. CHICAGO	IL	CINCINNATI	OH	BNSF CHGO CSXT	Polyethylene HD	2821142	\$4,489	\$75	\$4,564	427%	
19. MEMPHIS	TN	EVANSVILLE	IN	CN MEMPH CSXT	Polystyrene	2821140	\$4,786	\$79	\$4,865	437%	
20. CHICAGO	IL	CUMBERLAND	MD	BNSF CHGO CSXT	Polypropylene	2821139	\$6,362	\$123	\$6,485	415%	
21. NEW ORLEANS	LA	HAMLET	NC	BNSF NEWOR CSXT	Polypropylene	2821139	\$6,558	\$163	\$6,721	342%	
22. CHICAGO	IL	MENTOR	OH	BNSF CHGO CSXT	Polypropylene	2821139	\$4,843	\$72	\$4,915	473%	
23. NEW ORLEANS	LA	NORTH COVE	NC	BNSF NEWOR CSXT	Polyethylene HD	2821142	\$7,294	\$156	\$7,450	394%	
24. EFFINGHAM	IL	LAKEVILLE	NY	CN EFHAM CSXT GENIT LAL	Polystyrene	2821140	\$7,868	\$139	\$8,007	453%	
25. MEMPHIS	TN	CLARKSVILLE	TN	CN MEMPH CSXT GUTHR RJCM	Polystyrene	2821140	\$6,059	\$60	\$6,119	637%	
26. NEW ORLEANS	LA	BEECH ISLAND	SC	CN NEWOR CSXT	Polystyrene	2821140	\$6,864	\$142	\$7,006	401%	
27. NEW ORLEANS	LA	STARTEX	SC	BNSF NEWOR CSXT	Polyethylene HD	2821142	\$7,080	\$144	\$7,224	408%	
28. NEW ORLEANS	LA	SOCIAL CIRCLE	GA	BNSF NEWOR CSXT SOCIR GRWR	Polypropylene	2821139	\$5,841	\$109	\$5,950	415%	
29. MEMPHIS	TN	PIQUA	OH	CN MEMPH CSXT	Polystyrene	2821140	\$6,255	\$124	\$6,379	406%	
30. EAST ST. LOUIS	IL	PAINESVILLE	OH	UP ESTL CSXT	Aromatics	2911315	\$3,590	\$114	\$3,704	231%	
31. NEW ORLEANS	LA	MONROE	NC	BNSF NEWOR CSXT	Polypropylene	2821139	\$8,239	\$152	\$8,391	452%	
32. EFFINGHAM	IL	TERRE HAUTE	IN	CN EFHAM CSXT	Polystyrene	2821140	\$3,571	\$14	\$3,585	789%	
33. CHICAGO	IL	TERRE HAUTE	IN	BNSF CHGO CSXT	Polyethylene HD	2821142	\$3,682	\$36	\$3,718	544%	
34. CHICAGO	IL	UTICA	NY	BNSF CHGO CSXT UTICA MHWA	Polypropylene	2821139	\$7,607	\$144	\$7,751	433%	
35. NEW ORLEANS	LA	CARTERSVILLE	GA	BNSF NEWOR CSXT	Polypropylene	2821139	\$5,841	\$108	\$5,949	421%	
36. NEW ORLEANS	LA	STANLEY	NC	BNSF NEWOR CSXT	Polypropylene	2821139	\$8,239	\$161	\$8,400	433%	
37. NEW ORLEANS	LA	SIMPSONVILLE	SC	BNSF-NEWOR-CSXT-LAURN-CPDR	Polypropylene	2821139	\$7,930	\$139	\$8,069	459%	
38. NEW ORLEANS	LA	DELAND	FL	BNSF NEWOR CSXT	Polypropylene	2821139	\$7,411	\$145	\$7,556	423%	
39. NEW ORLEANS	LA	LAWRENCEVILLE	GA	BNSF NEWOR CSXT	Polyethylene HD	2821142	\$5,841	\$105	\$5,946	431%	
40. NEW ORLEANS	LA	RIVER TERMINAL	NC	BNSF NEWOR CSXT (AR)	Polypropylene	2821139	\$7,267	\$177	\$7,444	351%	
41. EAST ST. LOUIS	IL	SHELBYVILLE	KY	BNSF ESTL CSXT WINCH RJCC	Polypropylene	2821139	\$5,112	\$101	\$5,213	380%	
42. EFFINGHAM	IL	WARMINSTER	PA	CN EFHAM CSXT IVYLD NHRR	Polystyrene	2821140	\$9,345	\$203	\$9,548	399%	

CSX JOINT MOVES

Origin		Destination		Route	Commodity Description	CSXT Rate		FSC @ \$0.20		CSXT Rate		RVC Ratio
City	ST	City	ST			IQ10	STCC	IQ10	STCC	IQ10	STCC	
(1)	(2)	(3)	(4)	(5)	(6)	(8)	(7)	(9)	(10)	(11)	(12)	(13)
43. NEW ORLEANS	LA	COVINGTON	GA	BNSF-NEWOR-CSXT	Polypropylene	\$5,841	2821139	\$107		\$5,948		426%
44. EAST ST. LOUIS	IL	SIDNEY	OH	BNSF ESTL CSXT	Polypropylene	\$5,024	2821139	\$85		\$5,109		433%
45. NEW ORLEANS	LA	HOLLYWOOD	FL	BNSF NEWOR CSXT	Polypropylene	\$7,455	2821139	\$197		\$7,652		332%
46. NEW ORLEANS	LA	LAKELAND	FL	CN NEWOR CSXT	Polystyrene	\$7,680	2821140	\$155		\$7,835		417%
47. NEW ORLEANS	LA	PANAMA CITY	FL	CN NEWOR CSXT COTDL BAYL	Aromatics (Styrene)	\$4,964	2818342	\$84		\$5,048		407%
48. NEW ORLEANS	LA	ACKERMAN	GA	BNSF NEWOR CSXT	Polypropylene	\$5,841	2821139	\$97		\$5,938		460%
49. CHICAGO	IL	WESTBORO	MA	BNSF CHGO CSXT	Polyethylene HD	\$8,657	2821142	\$197		\$8,854		384%
50. CHICAGO	IL	EIGHTY FOUR	PA	BNSF CHGO CSXT PITTS AVR	Polypropylene	\$6,362	2821139	\$103		\$6,465		451%
51. MEMPHIS	TN	GALLAWAY	TN	CN MEMPH CSXT	Polystyrene	\$4,340	2821140	\$6		\$4,346		1158%
52. MEMPHIS	TN	JASPER	TN	CN MEMPH CSXT BRDGL SQVR	Polystyrene	\$2,655	2821140	\$73		\$2,728		249%
53. MEMPHIS	TN	NASHVILLE	TN	BNSF MEMPH CSXT	Polyethylene HD	\$4,959	2821142	\$46		\$5,005		638%
54. NEW ORLEANS	LA	LAGRANGE	GA	BNSF NEWOR CSXT	Polypropylene	\$5,391	2821139	\$85		\$5,476		467%
55. NEW ORLEANS	LA	ANSLEY	MS	CN NEWOR CSXT	Polystyrene	\$5,447	2821140	\$9		\$5,456		1338%
56. CHICAGO	IL	TERRE HAUTE	IN	BNSF CHGO CSXT	Polypropylene	\$3,682	2821139	\$36		\$3,718		544%
57. MEMPHIS	TN	HOPKINSVILLE	KY	BNSF MEMPH CSXT	Polyethylene HD	\$4,959	2821142	\$62		\$5,021		534%
58. NEW ORLEANS	LA	ORLANDO	FL	BNSF NEWOR CSXT	Polyethylene HD	\$7,411	2821142	\$152		\$7,563		408%
59. NEW ORLEANS	LA	AUGUSTA	KY	BNSF NEWOR CSXT	Polypropylene	\$7,612	2821139	\$192		\$7,804		346%
60. NEW ORLEANS	LA	BALTIMORE	MD	BNSF NEWOR CSXT	Polyethylene HD	\$9,419	2821142	\$250		\$9,669		340%
61. CHICAGO	IL	UTICA	NY	BNSF CHGO CSXT UTICA MHWA	Polyethylene HD	\$7,607	2821142	\$144		\$7,751		433%
62. CHICAGO	IL	CLARKSBURG	WV	BNSF CHGO CSXT	Polypropylene	\$6,196	2821139	\$127		\$6,323		395%
63. MEMPHIS	TN	MADISONVILLE	KY	BNSF MEMPH CSXT	Polypropylene	\$4,786	2821139	\$69		\$4,855		479%
64. NEW ORLEANS	LA	ATLANTA	GA	UP NEWOR CSXT	Aromatics	\$5,588	2911315	\$100		\$5,688		416%
65. NEW ORLEANS	LA	LAGRANGE	GA	BNSF NEWOR CSXT	Polypropylene	\$5,391	2821139	\$85		\$5,476		467%
66. NEW ORLEANS	LA	WARESBORO	GA	BNSF NEWOR CSXT WARCO SMW	Polypropylene	\$6,860	2821139	\$136		\$6,996		407%
67. CHICAGO	IL	AKRON	OH	BNSF CHGO CSXT	Polypropylene	\$4,843	2821139	\$69		\$4,912		476%
68. EAST ST. LOUIS	IL	HATFIELD	PA	CN ESTL CSXT	Polystyrene	\$8,029	2821140	\$227		\$8,256		317%
69. MEMPHIS	TN	GALLAWAY	TN	BNSF MEMPH CSXT	Polypropylene	\$4,340	2821139	\$6		\$4,346		1158%
70. NEW ORLEANS	LA	CHATTANOO	TN	BNSF NEWOR-CSXT	Polypropylene	\$5,681	2821139	\$126		\$5,807		365%
71. NEW ORLEANS	LA	ETON	GA	BNSF-NEWOR-CSXT	Polypropylene	\$5,681	2821139	\$118		\$5,799		384%
72. NEW ORLEANS	LA	TYNER	TN	BNSF-NEWOR-CSXT	Polypropylene	\$5,681	2821139	\$128		\$5,809		360%
73. CHICAGO	IL	LYONS	NY	BNSF-CHGO-CSXT	Polyethylene HD	\$6,707	2821142	\$124		\$6,831		435%
74. MEMPHIS	TN	LEBANON	TN	BNSF-MEMPH-CSXT-VINH-NERR	Polyethylene HD	\$5,456	2821142	\$54		\$5,510		612%
75. MEMPHIS	TN	JACKSON	TN	BNSF-MEMPH-CSXT	Polypropylene	\$4,340	2821139	\$24		\$4,364		786%
76. MEMPHIS	TN	LEWISBURG	TN	BNSF-MEMPH-CSXT	Polypropylene	\$4,959	2821139	\$57		\$5,016		563%
77. NEW ORLEANS	LA	EVERGREEN	AL	BNSF-NEWOR-CSXT	Polyethylene HD	\$3,069	2821142	\$48		\$3,117		389%
78. NEW ORLEANS	LA	HELENA	AL	BNSF-NEWOR-CSXT	Polypropylene	\$5,080	2821139	\$80		\$5,160		459%
79. NEW ORLEANS	LA	NEWNAN	GA	BNSF-NEWOR-CSXT	Polypropylene	\$5,841	2821139	\$91		\$5,932		479%
80. NEW ORLEANS	LA	PETERSBUR	WV	BNSF-NEWOR-CSXT	Polypropylene	\$9,241	2821139	\$274		\$9,515		308%
81. CHICAGO	IL	INDIANAPOLIS	IN	CN-CHGO-CSXT	Polystyrene	\$3,939	2821140	\$39		\$3,978		558%
82. CHICAGO	IL	LIVONIA	MI	BNSF-CHGO-CSXT	Polyethylene HD	\$5,432	2821142	\$62		\$5,494		583%
83. CHICAGO	IL	LOCKPORT	NY	BNSF-CHGO-CSXT	Polypropylene	\$6,261	2821139	\$111		\$6,372		444%
84. CHICAGO	IL	WAPAKONET	OH	BNSF-CHGO-CSXT	Polypropylene	\$3,970	2821139	\$51		\$4,021		484%

CSX JOINT MOVES

Origin		Destination		Route (5)	Commodity Description (6)	CSXT Rate		FSC @ \$0.20		CSXT Rate	
City (1)	ST (2)	City (3)	ST (4)			IQ10 (8)	STCC (7)	IQ10 (9)	Incl. FSC (10)	R/V/C Ratio (11)	
85. MEMPHIS	TN	HAWESVILL	KY	BNSF-MEMPH-CSXT	Polyethylene HD	2821142	\$4,786	\$88	\$4,874	406%	
86. NEW ORLEANS	LA	THOMSON	GA	BNSF-NEWOR-CSXT	Polyethylene HD	2821142	\$6,864	\$125	\$6,989	442%	
87. NEW ORLEANS	LA	TARBORO	NC	BNSF-NEWOR-CSXT	Polyethylene HD	2821142	\$8,370	\$197	\$8,567	372%	
88. NEW ORLEANS	LA	DECATUR	GA	BNSF-NEWOR-CSXT	Polypropylene	2821139	\$5,841	\$100	\$5,941	447%	
89. NEW ORLEANS	LA	HORSE CAVE	KY	BNSF-NEWOR-CSXT	Polypropylene	2821139	\$7,568	\$145	\$7,713	432%	
90. NEW ORLEANS	LA	VANCEBURG	KY	BNSF-NEWOR-CSXT	Polypropylene	2821139	\$7,612	\$201	\$7,813	332%	
91. NEW ORLEANS	LA	MATTHEWS	NC	BNSF-NEWOR-CSXT	Polypropylene	2821139	\$8,239	\$155	\$8,394	446%	
92. CHICAGO	IL	FARMINGDALE	NY	BNSF CHGO CSXT FPOUJ NYA	Polypropylene	2821139	\$8,396	\$197	\$8,593	366%	
93. CHICAGO	IL	NORTH VERNON 8/	IN	BNSF CHGO CSXT NVERN CMPA	Polyethylene HD	2821142	\$3,939	\$71	\$4,010	380%	
94. NEW ORLEANS	LA	PENDERGRASS	GA	BNSF NEWOR CSXT	Polypropylene	2821139	\$5,841	\$117	\$5,958	397%	
95. NEW ORLEANS	LA	VALDOSTA	GA	BNSF NEWOR CSXT (VR)	Polyethylene HD	2821142	\$5,442	\$113	\$5,555	377%	
96. CHICAGO	IL	FRANCESVILLE	IN	BNSF CHGO CSXT	Polyethylene HD	2821142	\$4,123	\$20	\$4,143	805%	
97. NEW ORLEANS	LA	JEFFERSON	GA	CN-NEWOR-CSXT	Polystyrene	2821140	\$5,841	\$116	\$5,957	401%	
98. NEW ORLEANS	LA	JEFFERSON	GA	BNSF-NEWOR-CSXT	Polypropylene	2821139	\$5,841	\$116	\$5,957	401%	
99. EFFINGHAM	IL	MAMARONEC	NY	CN-EFHAM-CSXT	Polystyrene	2821140	\$8,075	\$211	\$8,286	338%	
100. MEMPHIS	TN	GALLAWAY	TN	BNSF MEMPH CSXT	Polyethylene HD	2821142	\$4,340	\$6	\$4,346	1158%	
101. MEMPHIS	TN	GLASGOW	KY	BNSF MEMPH CSXT	Polypropylene	2821139	\$4,959	\$68	\$5,027	499%	
102. NEW ORLEANS	LA	ACKERMAN	GA	BNSF NEWOR CSXT	Polyethylene HD	2821142	\$5,841	\$97	\$5,938	460%	
103. NEW ORLEANS	LA	BEECH ISLAND	SC	BNSF NEWOR CSXT	Polypropylene	2821139	\$6,864	\$142	\$7,006	401%	
104. NEW ORLEANS	LA	DE LAND	FL	BNSF NEWOR CSXT	Polyethylene HD	2821142	\$7,411	\$145	\$7,556	423%	
105. NEW ORLEANS	LA	HAMLET	NC	BNSF NEWOR CSXT	Polyethylene HD	2821142	\$6,558	\$163	\$6,721	342%	
106. NEW ORLEANS	LA	HAMLET	NC	CN NEWOR CSXT	Polystyrene	2821140	\$6,558	\$163	\$6,721	342%	
107. NEW ORLEANS	LA	WINCHESTER	VA	BNSF NEWOR CSXT	Polypropylene	2821139	\$9,033	\$259	\$9,292	317%	
108. CHICAGO	IL	AKRON	OH	BNSF CHGO CSXT	Polyethylene HD	2821142	\$4,843	\$69	\$4,912	485%	
109. CHICAGO	IL	LIMA	OH	BNSF CHGO CSXT	Polyethylene HD	2821142	\$3,970	\$48	\$4,018	500%	
110. CHICAGO	IL	LIMA	OH	BNSF CHGO CSXT	Polypropylene	2821139	\$3,970	\$48	\$4,018	500%	
111. CHICAGO	IL	PITTSFIELD	MA	BNSF CHGO CSXT	Polypropylene	2821139	\$8,190	\$172	\$8,362	406%	
112. NEW ORLEANS	LA	DALTON	GA	BNSF NEWOR CSXT	Polypropylene	2821139	\$5,681	\$119	\$5,800	382%	
113. CHICAGO	IL	CLARKSBURG	WV	BNSF CHGO CSXT	Polyethylene HD	2821142	\$6,196	\$127	\$6,323	395%	
114. CHICAGO	IL	WESTFIELD	MA	BNSF CHGO CSXT (PVRR)	Polypropylene	2821139	\$8,190	\$181	\$8,371	390%	
115. CHICAGO	IL	INDIAPLIS	IN	BNSF CHGO CSXT	Polypropylene	2821139	\$3,939	\$39	\$3,978	558%	

CERTIFICATE OF SERVICE

I hereby certify that this 26th day of July 2010, I served a copy of the foregoing First Amended Complaint by hand delivery upon counsel for Defendant at the following address:

G. Paul Moates
Sidley Austin LLP
1501 K Street, NW
Washington, D.C. 20005



Jeffrey O. Moreno