

October 7, 2010

By Hand Delivery

Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D.C. 204231



RE: STB Finance Docket No. 42125; *E.I. DuPont De Nemours and Company v. Norfolk Southern Railway Company*

227941

Dear Ms. Brown:

Enclosed please find an original and ten (10) copies of the E.I. DuPont De Nemours and Company's Complaint to be filed in the above referenced proceeding. A check for \$350.00 is attached for the filing fees.

Also, enclosed is one additional copy of the pleading for stamp and return. Kindly date-stamp the additional copy for return to this office by messenger.

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

Sincerely,

Jeffrey O. Moreno
Attorney for E.I. DuPont De Nemours and Company

Enclosures

FEE RECEIVED

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**SURFACE
TRANSPORTATION BOARD**

FILED

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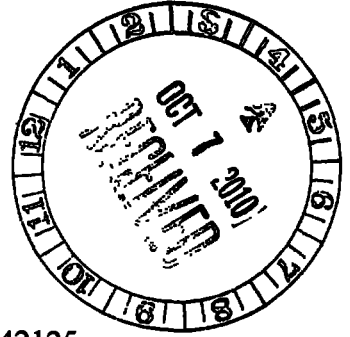
**SURFACE
TRANSPORTATION BOARD**

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**



E.I. DUPONT DE NEMOURS AND COMPANY)

Complainant,)

v.)

NORFOLK SOUTHERN RAILWAY COMPANY)

Defendant.)

Docket No. NOR 42125

COMPLAINT

COMES NOW Complainant, E.I. du Pont de Nemours and Company ("DuPont"), 1007 Market Street, Wilmington, DE 19898, and files this Complaint against Defendant, Norfolk Southern Railway Company ("NSR"), Three Commercial Place, Norfolk, VA 23510. DuPont brings this Complaint pursuant to 49 U.S.C. §§ 10701, 10704, 10707, 11701 and 11704, and 49 C.F.R. Part 1111. DuPont requests that the Surface Transportation Board ("STB" or "Board") prescribe reasonable rates and service terms for NSR's transportation of the movements set forth in Exhibits A and B to this Complaint. DuPont asks the Board to award damages, plus interest, to the extent that DuPont has paid or will pay common carrier rates in excess of a reasonable maximum rate for such transportation, beginning on June 1, 2009. DuPont asks this Board to determine the reasonableness of NSR'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 Complaint, DuPont states as follows:

The Parties

1. DuPont is a corporation organized under the laws of the State of Delaware, with its principal place of business in Wilmington, Delaware. DuPont is a science company. It combines biology and chemistry to manufacture products that meet societal needs for safe and abundant food, alternative fuels, fibers such as Kevlar® and Nomex® (used to protect first responders, police and military personnel), and other sustainable solutions that enable a better, safer and healthier life for people everywhere. In the United States, DuPont employs over 26,000 workers in 47 states. In addition to providing jobs and tax revenues to communities in nearly every state in the Union, DuPont is a vital contributor to our nation's balance of trade -- in 2009, the Company was our nation's 11th largest exporter. DuPont is a major user of rail service to transport materials and products that it consumes and produces at its facilities in the United States and that it sells to customers domestically and around the world.

2. NSR 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 Norfolk, Virginia. NSR is subject to the Interstate Commerce Commission Termination Act of 1995 (49 U.S.C. §§ 10101 *et seq.*) and to the jurisdiction of the Board.

Description of the Issue Movements

3. In this Complaint, DuPont challenges the reasonableness of NSR's rates for the movement of 27 commodities between 146 origin and destination pairs set forth in Exhibits A and B.

4. NSR transports the commodities between the points identified in Exhibit A in single line service. The lanes in Exhibit A have been subject to NSR tariff rates since June 15, 2010.

5. NSR transports the commodities between the points identified in Exhibit B in joint line service. NSR has published AAR Accounting Rule 11 rates for these movements. The lanes in Exhibit B, Part 1, have been subject to NSR tariff rates since June 1, 2009. The lanes in Exhibit B, Part 2, have been subject to NSR tariff rates since June 15, 2010. The lanes in Exhibit B, Part 3, have been subject to NSR tariff rates beginning on various dates between June 1, 2009 and June 15, 2010, as specified in the Exhibit.

The Challenged Rates

6. Prior to June 1, 2009, NSR transported the commodities between the points identified in Exhibit A and Part 1 of Exhibit B pursuant to a Master Contract with DuPont. When the parties were unable to reach agreement on new contract rates, NSR published common carrier tariff rates in a collection of private price lists for DuPont that currently are consolidated in NSRQ 64869, 65178, and 65720.

7. Prior to June 15, 2010, NSR transported the commodities between the points identified in Exhibit A and Part 2 of Exhibit B pursuant to a Master Contract with DuPont. When the parties were unable to reach agreement on new contract rates, NSR published common carrier tariff rates in a collection of private price lists for DuPont that currently are consolidated in NSRQ 65718, 65720, and 70022.

8. Between June 1, 2009 and June 15, 2010, NSR published the rates in Part 3 of Exhibit B for new DuPont traffic. NSR published these common carrier tariff rates in a

collection of private price lists for DuPont that currently are consolidated in NSRQ 65720, and 70022.

9. Over two-thirds of the challenged rates have R/VC ratios above 300% and nearly half of the challenged rates have R/VC ratios above 400%. Six of the challenged rates have R/VC ratios above 600% and five rates exceed 700%.

10. In this Complaint, DuPont challenges the reasonableness of the NSR tariff rates identified in Exhibits A and B, as of the dates specified for each lane in those exhibits.

Jurisdictional Allegations

11. NSR possesses market dominance over the movements in Exhibits A and B. Therefore, pursuant to 49 U.S.C. § 10707, the Board has jurisdiction over the rates and services provided by NSR and challenged by DuPont as unreasonable.

12. The rates charged by NSR and challenged by DuPont for each of the movements in Exhibits A and B exceed 180 percent of NSR's variable cost for the service requested by DuPont, as determined in accordance with 49 U.S.C. § 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 NSR 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. NSR's common carrier rates for handling the movements in Exhibits A and B are unreasonable and violate 49 U.S.C. §§ 10701(d)(1) and 10702, which require NSR to establish reasonable rates. The Board should order NSR to cease these violations and it should prescribe maximum reasonable rates pursuant to 49 U.S.C. § 10704(a)(1).

15. The Board should award reparations to DuPont, as provided under 49 U.S.C. § 11704(b). The reparations should compensate DuPont for any and all amounts paid in excess of the reasonable rates prescribed by the Board pursuant to this proceeding, plus interest, beginning on the dates specified for each of the lanes in Exhibits A and B.

16. The Board should prescribe a maximum reasonable rate and award reparations for a combined period of ten years, beginning June 1, 2009.

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

WHEREFORE, Complainant, E.I. du Pont de Nemours and Company prays that the Board:

(1) require Defendant, Norfolk Southern Railway Company, to answer the charges alleged herein;

(2) assign this Complaint for hearing under 49 C.F.R. 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 NSR's common carrier rates applicable to the transportation of the commodities and movements in Exhibits A and B of this 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 DuPont traffic in Exhibits A and B, pursuant to 49 U.S.C. §§ 10704(a)(1) and 11701(a);

(5) award DuPont reparations, plus applicable interest, in accordance with 49 U.S.C. § 11704 for unlawful rates set by NSR for the period beginning June 1, 2009 to the effective date of a decision by the Board prescribing just and reasonable rates; and

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

Respectfully submitted,



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

October 7, 2010

NS LOCAL MOVES

Origin		Destination		Route (5)	Commodity Description (6)	STCC (7)	NS Tariff Reference 1/ (8)	Effective Date of DuPont Complaint (9)	NS Rate per Car (10)	R/V/C Ratio (11)
City (1)	ST (2)	City (3)	ST (4)							
1. Bayway	NJ	Towanda	PA	NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$2,557	239%
2. Bayway	NJ	Waynesville	NC	NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$12,014	511%
3. Belle	WV	Danville	IL	NS	DIMETHYL ETHER	2813980	NSRQ 65720	June 15, 2010	\$4,626	277%
4. Belle	WV	Elizabeth	NJ	NS	AMINES LIQUID C	2899797	NSRQ 65720	June 15, 2010	\$7,064	318%
5. Belle	WV	Lemoine	AL	NS	DIMETHYLAMINE AN	2813934	NSRQ 65720	June 15, 2010	\$15,006	606%
6. Belle	WV	Lemoine	AL	NS	DIMETHYLAMINE AQU	2818130	NSRQ 65720	June 15, 2010	\$7,152	298%
7. Belle	WV	Manhattan	IL	NS	DIMETHYL ETHER	2813980	NSRQ 65720	June 15, 2010	\$8,266	484%
8. Belle	WV	Mobile	AL	NS	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 15, 2010	\$8,141	299%
9. Belle	WV	Wyandotte	MI	NS	DIMETHYLAMINE AN	2813934	NSRQ 65720	June 15, 2010	\$6,264	503%
10. Charleston	TN	Edgemoor	DE	NS	CHLORINE	2812815	NSRQ 65720	June 15, 2010	\$13,638	703%
11. Edgemoor	DE	Chicago	IL	NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$9,200	443%
12. Edgemoor	DE	Chillicothe	OH	NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$6,084	350%
13. Edgemoor	DE	Mahrt	AL	NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$11,566	491%
14. Edgemoor	DE	Riverwood Intl	GA	NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$5,860	280%
15. Edgemoor	DE	Wabash	IN	NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$6,193	335%
16. Lemoine	AL	Giant	SC	NS	WASTE FLAMMABLE L	4810560	NSRQ 65720	June 15, 2010	\$4,800	234%
17. Loudon	TN	Braithwaite	LA	NS	PROPANEDIOL BIO	2818512	NSRQ 65178	June 15, 2010	\$4,125	225%
18. Louisville	KY	Decatur	IL	NS	ACID MURIATIC (HY	2819450	NSRQ 65720	June 15, 2010	\$3,302	259%
19. Louisville	KY	Lafayette	IN	NS	ACID MURIATIC (HY	2819450	NSRQ 65720	June 15, 2010	\$3,752	280%
20. Louisville	KY	Manhattan	IL	NS	DIFLUOROETHANE	2813984	NSRQ 65720	June 15, 2010	\$7,803	484%
21. Louisville	KY	Royce	NJ	NS	DIFLUOROETHANE	2813984	NSRQ 65720	June 15, 2010	\$8,435	323%
22. McIntosh	AL	Lemoine	AL	NS	SODIUM CAUSTIC	2812220	NSRQ 65720	June 15, 2010	\$1,500	369%

Origin City (1)	ST (2)	Destination		Route (5)	Commodity Description (6)	STCC (7)	NS Tariff Reference 1/ (8)	Effective Date of DuPont Compliment (9)	NS Rate per Car (10)	R/Vc Ratio (11)
		City (3)	ST (4)							
1. Belle	WV	Anaheim	CA	NS-CHGO-UP	DIMETHYL ETHER	2813980	NSRQ 65720	June 1, 2009	\$7,715	529%
2. Belle	WV	Bayport	TX	NS-ESTL-UP	ACID, GLYCOLIC	2818620	NSRQ 65720	June 1, 2009	\$4,537	230%
3. Belle	WV	Bayport	TX	NS-ESTL-UP	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$4,537	227%
4. Belle	WV	Brownsville	TX	NS-ESTL-UP	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$4,537	243%
5. Belle	WV	Burley	ID	NS-CHGO-UP	DIMETHYLAMINE, AN	2813934	NSRQ 64869 /	June 1, 2009	\$7,715	532%
6. Belle	WV	Cadet	MO	NS-KCITY-UP	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$9,563	451%
7. Belle	WV	Channelview	TX	NS-ESTL-UP	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	433%
8. Belle	WV	Channelview	TX	NS-ESTL-UP	DIMETHYLAMINE, AQU	2818130	NSRQ 65720	June 1, 2009	\$4,537	243%
9. Belle	WV	City Of Commerce	CA	NS-STRTR-BNSF	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$8,561	494%
10. Belle	WV	Conroe	TX	NS-ESTL-BNSF	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	436%
11. Belle	WV	Corsicana	TX	NS-ESTL-UP	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	434%
12. Belle	WV	East Billings	MT	NS-CHGO-BNSF	DIMETHYLAMINE, AN	2813934	NSRQ 64869 /	June 1, 2009	\$7,715	543%
13. Belle	WV	East Billings	MT	NS-CHGO-BNSF	DIMETHYLAMINE, AQU	2818130	NSRQ 65720	June 1, 2009	\$5,132	361%
14. Belle	WV	Ethyl	AR	NS-ESTL-UP-MCNEL-LNW	DIMETHYLAMINE AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	435%
15. Belle	WV	Finley	WA	NS-CHGO-BNSF	DIMETHYLAMINE, AN	2813934	NSRQ 64869 /	June 1, 2009	\$7,715	523%
16. Belle	WV	Freeport	TX	NS-ESTL-UP	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	445%
17. Belle	WV	Freeport	TX	NS-ESTL-UP	DIMETHYLAMINE, AQU	2818130	NSRQ 65720	June 1, 2009	\$4,537	243%
18. Belle	WV	Garyville	LA	NS-NEWOR-CN	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$10,560	434%
19. Belle	WV	Geismar	LA	NS-NEWOR-CN	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$10,560	443%
20. Belle	WV	Janesville	WI	NS-CHGO-UP	DIMETHYL SULFATE	2818131	NSRQ 65720	June 1, 2009	\$7,715	515%
21. Belle	WV	Laredo	TX	NS-ESTL-UP	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$4,537	243%
22. Belle	WV	Laredo	TX	NS-ESTL-UP	DIMETHYL SULFATE	2818131	NSRQ 65720	June 1, 2009	\$8,093	469%
23. Belle	WV	Lorenzo	IL	NS-CHGO-BNSF	DIMETHYL ETHER	2813980	NSRQ 65720	June 1, 2009	\$7,715	533%
24. Belle	WV	Los Angeles	CA	NS-STRTR-BNSF	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$6,649	405%
25. Belle	WV	Los Angeles	CA	NS-CHGO-UP	DIMETHYLAMINE, AQU	2818130	NSRQ 65720	June 1, 2009	\$5,132	353%
26. Belle	WV	Magness	AR	NS-KCITY-UP	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$5,094	199%
27. Belle	WV	Millsdale	IL	NS-CHGO-CN	DIMETHYL SULFATE	2818131	NSRQ 65720	June 1, 2009	\$7,715	517%
28. Belle	WV	Saint Joseph	MO	NS-KCITY-UP	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$9,563	451%
29. Belle	WV	Saint Paul	MN	NS-CHGO-UP	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$5,132	323%
30. Belle	WV	San Dimas	CA	NS-CHGO-UP	DIMETHYL ETHER	281980	NSRQ 65720	June 1, 2009	\$7,715	536%
31. Belle	WV	Santa Fe Springs	CA	NS-STRTR-BNSF	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$8,561	491%
32. Belle	WV	St Gabriel	LA	NS-NEWOR-CN	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$10,560	439%
33. Belle	WV	St Joseph	MO	NS-KCITY-UP	DIMETHYLAMINE, AQU	2818130	NSRQ 65720	June 1, 2009	\$6,465	282%
34. Belle	WV	Strang	TX	NS-ESTL-UP	ACID, GLYCOLIC	2818620	NSRQ 65720	June 1, 2009	\$4,537	229%
35. Belle	WV	Strang	TX	NS-ESTL-UP	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$4,537	227%
36. Belle	WV	Strang	TX	NS-ESTL-BNSF	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	412%
37. Belle	WV	Strang	TX	NS-ESTL-UP	MONOMETHYL FORMAM	2819183	NSRQ 65720	June 1, 2009	\$4,157	233%
38. Belle	WV	Texas City	TX	NS-ESTL-UP	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 1, 2009	\$4,537	243%

NS JOINT MOVES

	Origin		Destination		Route	Commodity Description	STCC	NS Tariff Reference 1/	Effective Date of DuPont Complaint	NS Rate per Car	R/V/C Ratio
	City	ST	City	ST							(11)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
39. Belle		WV	Texas City	TX	NS-ESTL-UP	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	441%
40. Belle		WV	Verona	MO	NS-ESTL-BNSF	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	438%
41. Belle		WV	West Memphis	AR	NS-KCITY-UP	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$9,563	451%
42. Belle		WV	Winford Spur	LA	NS-MERID-KCS	DIMETHYL ETHER	2813980	NSRQ 65720	June 1, 2009	\$8,939	448%
43. Belle		WV	Wichita	KS	NS-ESTL-BNSF	DIMETHYLAMINE, AN	2813934	NSRQ 65720	June 1, 2009	\$8,093	436%
44. Bloomington		TX	Greenville	SC	UP-NEWOR-NS	POLYETHYLENE	2821142	NSRQ 65720	June 1, 2009	\$5,713	397%
45. Bloomington		TX	Washington; Warren	NJ	UP-ESTL-NS	POLYETHYLENE	2821142	NSRQ 65720	June 1, 2009	\$9,013	425%
46. Burnside		LA	McIntosh	AL	CN-MOBIL-NS	ACID SULFURIC	2813915	NSRQ 65720	June 1, 2009	\$1,092	367%
47. Charleston; Bradley		TN	Woodstock	DE	NS-MEMPH-CN	SODIUM CAUSTIC	2812220	NSRQ 65720	June 1, 2009	\$1,911	191%
48. Cresap		WV	Edge Moor	TN	CSXT-HAGTN-NS	COKE PETROLEUM CA	2991315	NSRQ 65720	June 1, 2009	\$2,341	366%
49. Dowling		TX	Fort Mill	SC	KCS-MERID-NS	OIL ANILINE	2815112	NSRQ 65720	June 1, 2009	\$4,450	298%
50. Edge Moor		DE	Garland	TX	NS-MERID-KCS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$6,246	277%
51. Edge Moor		DE	Groos	MI	NS-CHGO-CN	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,689	312%
52. Edge Moor		DE	Laredo	TX	NS-ESTL-UP	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$6,093	238%
53. Edge Moor		DE	Madawaska	ME	NS-ROUPT-CN	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$3,530	254%
54. Edge Moor		DE	Pasadena	TX	NS-ESTL-UP	TITANIUM TETRACHL	2819971	NSRQ 65720	June 1, 2009	\$10,747	446%
55. Edge Moor		DE	Port Huron	MI	NS-BUFF-CN	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$4,880	401%
56. Edge Moor		DE	Portland	ME	NS-MCV-PAS-AYERM-ST	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$3,149	290%
57. Edge Moor		DE	Portland	OR	NS-CHGO-BNSF	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,689	287%
58. Edge Moor		DE	Quinnesec	MI	NS-CHGO-CN	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,689	309%
59. Edge Moor		DE	Rileys	ME	NS-MCV-PAS-AYERM-ST	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$3,149	289%
60. Edge Moor		DE	Rumford	ME	NS-MCV-PAS-AYERM-ST	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$3,149	290%
61. Edge Moor		DE	Sartell	MIN	NS-CHGO-BNSF	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,689	303%
62. Edge Moor		DE	Shawmutt	ME	NS-MCV-PAS-AYERM-ST	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$3,149	290%
63. Edge Moor		DE	Snoboy	CA	NS-CHGO-UP	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,689	309%
64. Edge Moor		DE	Snoboy	CA	NS-STRTR-BNSF	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,101	256%
65. Edge Moor		DE	St Paul	MIN	NS-CHGO-UP	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,689	307%
66. Edge Moor		DE	Strang	TX	NS-ESTL-UP	TITANIUM TETRACHL	2819971	NSRQ 65720	June 1, 2009	\$10,747	445%
67. Edge Moor		DE	West Monroe	LA	NS-MERID-KCS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$6,246	281%
68. Edge Moor		DE	Wheeling	IL	NS-CHGO-CN	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 1, 2009	\$5,689	303%
69. Enid		OK	Edge Moor	DE	BNSF-ESTL-NS	COKE PETROLEUM CA	2991315	NSRQ 65720	June 1, 2009	\$5,364	221%
70. Evans City		AL	Woodstock	TN	NS-MEMPH-CN	POTASSIUM, CAUSTI	2812410	NSRQ 65720	June 1, 2009	\$2,129	376%
71. Gregory		TX	Dragon	MS	UP-NEWOR-NS	DIFLUOROETHANE	2813984	NSRQ 65720	June 1, 2009	\$2,373	496%
72. Gregory		TX	Manhattan	IL	UP-ESTL-NS	DIFLUOROETHANE	2813984	NSRQ 65720	June 1, 2009	\$5,795	653%
73. Gregory		TX	Royce	NJ	UP-ESTL-NS	DIFLUOROETHANE	2813984	NSRQ 65720	June 1, 2009	\$10,123	385%
74. Houston		TX	Washington; Warren	NJ	UP-ESTL-NS	POLYETHYLENE	2821142	NSRQ 65720	June 1, 2009	\$9,013	425%
75. Lemont		IL	Edge Moor	DE	BNSF-CHGO-NS	COKE PETROLEUM CA	2991315	NSRQ 65720	June 1, 2009	\$4,608	234%
76. Lemoyne		AL	Artesia	MS	NS-MERID-KCS	WASTE FLAMMABLE L	4810560	NSRQ 65720	June 1, 2009	\$3,550	549%
77. McIntosh		AL	Burnside	LA	NS-MOBIL-CN	ACID SULFURIC,SPE	2819330	NSRQ 65720	June 1, 2009	\$1,092	366%
78. McIntosh		AL	DeLisle	MS	NS-MOBIL-CN-HATBG-KCS	CHLORINE	2812815	NSRQ 65720	June 1, 2009	\$2,184	732%
79. McIntosh		AL	DeLisle	MS	NS-MOBIL-CN-HATBG-KCS	SODIUM CAUSTIC	2812220	NSRQ 65720	June 1, 2009	\$1,993	656%

	Origin		Destination		Route (5)	STCC (7)	NS Tariff Reference 1/ (8)	Effective Date of DuPont Complaint (9)	NS Rate per Car (10)	R/Vc Ratio (11)
	City (1)	ST (2)	City (3)	ST (4)						
80. McIntosh		AL	Orange	TX	NS-NEWOR-UP	2812220	NSRQ 65720	June 1, 2009	\$3,658	331%
81. McIntosh		AL	Woodstock	TN	NS-MOBIL-CN	2812220	NSRQ 65720	June 1, 2009	\$1,993	657%
82. Orange		TX	Greenville	SC	UP-NEWOR-NS	2821142	NSRQ 65720	June 1, 2009	\$5,713	397%
83. Orange		TX	Washington, Warren	NJ	UP-ESTL-NS	2821142	NSRQ 65720	June 1, 2009	\$9,013	425%
84. Pascagoula		MS	Fort Mill	SC	MSE-MOBIL-NS	2815112	NSRQ 65720	June 1, 2009	\$4,068	234%
85. Pascagoula		MS	Lemoyne	AL	MSE-MOBIL-NS	2815112	NSRQ 65720	June 1, 2009	\$1,092	427%
86. Strang		TX	Lemoyne	AL	UP-NEWOR-NS	2812350	NSRQ 65720	June 1, 2009	\$4,003	344%

NS JOINT MOVES

Origin City (1)	ST (2)	Destination		Route (5)	Commodity Description (6)	STCC (7)	NS Tariff Reference 1/ (8)	Effective Date of DuPont Complaint (9)	NS Rate per Car (10)	R/V/C Ratio (11)
		City (3)	ST (4)							
87. Beauharnois	PQ	Edgemoor	DE	CSXT-BUFF-NS	CHLORINE	2812815	NSRQ 65720	June 15, 2010	\$7,022	473%
88. Belle	WV	Baton Rouge	LA	NS-NEWOR-CN	DIMETHYL FORMAMID	2818221	NSRQ 65720	June 15, 2010	\$6,954	252%
89. Belle	WV	Gainesville	GA	NS-CINTI-CSXT	DIMETHYL ETHER	2813980	NSRQ 65720	June 15, 2010	\$7,281	755%
90. Belle	WV	Port Bienville	MS	NS-ATLA-CSXT-ANSLE-PBVR	DIMETHYLAMINE AN	2813934	NSRQ 65720	June 15, 2010	\$9,585	571%
91. Belle	WV	Theodore	AL	NS-CINTI-CSXT	DIMETHYLAMINE AN	2813934	NSRQ 65720	June 15, 2010	\$7,281	759%
92. Bellwood	VA	Dallas	GA	CSXT-PTRSB-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$5,051	294%
93. Bellwood	VA	Fort Mill	SC	CSXT-CHLTE-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$992	356%
94. Bellwood	VA	Rockwell	NC	CSXT-PTRSB-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$2,700	286%
95. Charleston	TN	New Johnsonville	TN	NS-CHATT-CSXT	CHLORINE	2812815	NSRQ 65720	June 15, 2010	\$1,565	488%
96. Danville	VA	Amphill	VA	NS-PTRSB-CSXT	LIME COMMON OR HY	3274110	NSRQ 70022	June 15, 2010	\$1,585	268%
97. Edgemoor	DE	New Johnsonville	TN	NS-CINTI-CSXT	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$8,966	503%
98. Enid	OK	Edge Moor	DE	BNSF-ESTL-NS	COKE PETROLEUM CA	2991315	NSRQ 65720	June 15, 2010	\$6,986	222%
99. Loudon	TN	Graingers	NC	NS-CHATT-CSXT	PROPANEDIOL BIO	2818512	NSRQ 65178	June 15, 2010	\$1,490	355%
100. Loudon	TN	Graingers	NC	NS-CHATT-CSXT	PROPANEDIOL BIO	2818512	NSRQ 65178	June 15, 2010	\$1,684	391%
101. Miami Fort	OH	Dallas	GA	CSXT-CINTI-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$3,532	274%
102. Miami Fort	OH	Gracewood	GA	CSXT-CHATT-NS	SULFUR TRIOXIDE	2819325	NSRQ 65720	June 15, 2010	\$5,400	461%
103. Miami Fort	OH	McIntosh	AL	CSXT-CHATT-NS	ACID FUMING SULFU	2819340	NSRQ 65720	June 15, 2010	\$5,638	567%
104. Miami Fort	OH	McIntosh	AL	CSXT-BHAM-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$2,000	279%
105. Miami Fort	OH	Narrows	VA	CSXT-CINTI-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$5,162	478%
106. Miami Fort	OH	Pepper	VA	CSXT-CINTI-NS	ACID FUMING SULFU	2819345	NSRQ 65720	June 15, 2010	\$3,000	269%
107. Natrium	WV	Belle	WV	CSXT-CINTI-NS	SODIUM CAUSTIC	2812220	NSRQ 65720	June 15, 2010	\$4,800	478%
108. Natrium	WV	Danville	VA	CSXT-LYNCH-NS	SODIUM CAUSTIC	2812220	NSRQ 65720	June 15, 2010	\$2,520	671%
109. New Johnsonville	TN	Chapman	PA	CSXT-CINTI-NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$7,151	410%
110. New Johnsonville	TN	Edgemoor	DE	CSXT-CINTI-NS	TITANIUM TETRACHL	2819971	NSRQ 65720	June 15, 2010	\$12,083	630%
111. New Johnsonville	TN	Morrow	GA	CSXT-CHATT-NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 15, 2010	\$4,500	772%
112. Niagara Falls	NY	Belle	WV	CSXT-CLMBO-NS	SODIUM CAUSTIC	2812220	NSRQ 65720	June 15, 2010	\$3,000	425%
113. Niagara Falls	NY	Edgemoor	DE	CSXT-BUFF-NS	CHLORINE	2812815	NSRQ 65720	June 15, 2010	\$7,022	472%
114. Niagara Falls	NY	Edgemoor	DE	CSXT-ATLA-NS	SODIUM CAUSTIC	2812220	NSRQ 65720	June 15, 2010	\$3,800	242%
115. Pascagoula	MS	Fort Mill	SC	CSXT-ATLA-NS	OIL ANILINE	2815112	NSRQ 65720	June 15, 2010	\$5,000	587%
116. Starke	FL	Huntsville	AL	CSXT-DCTUR-NS	SAND ZIRCON	1441325	NSRQ 70022	June 15, 2010	\$1,025	399%
117. Starke	FL	Huntsville	AL	CSXT-DCTUR-NS	SAND ZIRCON	1441325	NSRQ 70022	June 15, 2010	\$1,128	263%
118. Wurtland	KY	Fort Mill	SC	CSXT-CHLTE-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$992	356%
119. Wurtland	KY	McIntosh	AL	CSXT-BHAM-NS	ACID SULFURIC	2819315	NSRQ 65720	June 15, 2010	\$2,000	261%

NS JOINT MOVES

Origin City (1)	ST (2)	Destination		Route (5)	Commodity Description (6)	STCC (7)	NS Tariff Reference 1/ (8)	Effective Date of DuPont Complaint (9)	NS Rate per Car (10)	R/VC Ratio (11)
		City (3)	ST (4)							
120. Belle	WV	Divine	IL	NS-PINE-CN	DIMETHYL ETHER	2813980	NSRQ 65720	July 1, 2009	\$7,502	544%
121. Belle	WV	Mapleton	IL	NS-LOGPT-TPW	DIMETHYLAMINE AN	2813934	NSRQ 65720	July 21, 2009	\$5,843	532%
122. Burnside	LA	Gracewood	GA	CN-NEWOR-NS	SULFUR TRIOXIDE	2819325	NSRQ 65720	September 1, 2009	\$4,200	224%
123. Lemont	IL	Edgemoor	DE	BNSF-CHGO-NS	COKE PETROLEUM CA	2991315	NSRQ 65720	October 28, 2009	\$5,641	227%
124. New Johnsonville	TN	McDonough	GA	CSXT-CHATT-NS	TITANIUM DIOXIDE	2816130	NSRQ 65720	June 24, 2009	\$2,951	489%

CERTIFICATE OF SERVICE

I hereby certify that I have caused the Complaint to be served by express overnight courier, this 7th day of October 2010, on:

James A Hixon
Executive Vice President – Law & Corporate Relations
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510



Jeffrey O. Moreno