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SEC

SERVICE DATE – FEBRUARY 27, 2004

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34424<sup>1</sup>

CANADIAN NATIONAL RAILWAY COMPANY  
AND GRAND TRUNK CORPORATION  
— CONTROL —  
DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY,  
BESSEMER AND LAKE ERIE RAILROAD COMPANY,  
AND THE PITTSBURGH & CONNEAUT DOCK COMPANY

Decision No. 6

Decided: February 26, 2004

As indicated in Decision No. 4 (served February 12, 2004), an oral argument will be held in this proceeding on Wednesday, March 3, 2004, beginning at 10:00 a.m., in Room 760, the Board's Hearing Room, on the 7th Floor at the Board's headquarters in the Mercury Building, 1925 K Street, N.W. (on the northeast corner of the intersection of 20th Street, N.W., and K Street, N.W.), Washington, D.C.

In Decision No. 4, any party wishing to speak at the oral argument was instructed to file with the Board, as soon as possible but no later than February 25, 2004, an original and 10 copies of a written notice of intent to speak, along with the name and title of its intended speaker, and a requested time allotment. Such notices of intent to speak have now been filed by: Canadian National Railway Company and Grand Trunk Corporation (collectively, applicants); Ispat Inland, Inc.; The Burlington Northern and Santa Fe Railway Company; The International Brotherhood of Electrical Workers, the International Association of Machinists and Aerospace Workers, the American Train Dispatchers Association, and the National Conference of Firemen & Oilers - SEIU; and the U.S. Department of Transportation.

As indicated in Decision No. 4, the Board is now issuing this decision setting a schedule for the oral argument. The schedule of appearances and the time provided for each party appear in the Appendix to this decision. The time allocations for the oral argument total 75 minutes, of which 45 minutes have been allocated to applicants and 30 minutes have been allocated to the other parties.

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<sup>1</sup> This decision embraces: STB Finance Docket No. 34424 (Sub-No. 1), Duluth, Winnipeg and Pacific Railway Company — Trackage Rights — Duluth, Missabe and Iron Range Railway Company; and STB Finance Docket No. 34424 (Sub-No. 2), Duluth, Missabe and Iron Range Railway Company — Trackage Rights — Duluth, Winnipeg and Pacific Railway Company.

The purpose of oral argument is not to restate the written arguments previously made but, rather, to summarize and emphasize the key points of each party's case and to provide an opportunity for questions that the Board may have regarding the matters at issue, and the time allocations set forth in the Appendix are sufficient for these purposes.

As noted in Decision No. 4, if a party wishes to enhance its argument by using projector-adaptable visual displays and/or handouts, it may do so. Staff will be available to demonstrate the Hearing Room's projection system on Tuesday, March 2, 2004, from 2:00 p.m. to 4:00 p.m. Please call (202) 565-1709 to make arrangements.

Quiet laptops and tape recorders may be brought into the Hearing Room, but no provision will be made for the connection of personal computers to Board telephone lines. Cellular telephone use is not permitted in the Hearing Room, or in the rear anteroom. Cellular phones may only be used outside the Hearing Room.

This action will not affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Time for oral argument is allotted as reflected in the Appendix to this decision.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

**APPENDIX**

**SCHEDULE OF APPEARANCES**

<b><u>PARTY</u></b>	<b><u>TIME ALLOTTED</u></b>
Canadian National Railway Company and Grand Trunk Corporation (collectively, applicants) Speakers: James M. Foote (Executive Vice-President, Sales and Marketing), Gordon T. Trafton II (Senior Vice-President, U.S. Region), and Theodore K. Kalick (Senior U.S. Regulatory Counsel) Note: Applicants will open, and may reserve part of their time for rebuttal if they so choose.	<b>45 minutes</b>
Ispat Inland, Inc. Speakers: Jeffrey O. Moreno (Thompson Hine LLP) and Bruce A. Klimek (Ispat's Section Manager Purchasing)	<b>10 minutes</b>
The Burlington Northern and Santa Fe Railway Company Speaker: Adrian L. Steel, Jr.	<b>10 minutes</b>
The International Brotherhood of Electrical Workers, the International Association of Machinists and Aerospace Workers, the American Train Dispatchers Association, and the National Conference of Firemen & Oilers - SEIU Speaker: Michael S. Wolly	<b>5 minutes</b>
The U.S. Department of Transportation Speaker: Paul Samuel Smith	<b>5 minutes</b>