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SEC

SERVICE DATE - LATE RELEASE JULY 1, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 27590 (Sub-No. 3)

TTX COMPANY, ET AL. — APPLICATION FOR APPROVAL  
OF POOLING OF CAR SERVICE WITH RESPECT TO FLATCARS

Decided: July 1, 2004

As indicated in its decision served on June 22, 2004 (June 22 Decision), the Board will hold an oral argument in this proceeding on Wednesday, July 7, 2004, beginning at 10:00 a.m., in Room 760 (the Board's Hearing Room), at the Board's headquarters in the Mercury Building, 1925 K Street, N.W., Washington, D.C.

As provided in the June 22 Decision, parties wishing to speak at the oral argument were instructed to advise the Board of their intent to participate in the oral argument, provide the name and title of each speaker, request a time allotment, and file such notice of intent by no later than June 28, 2004. Notices of intent to speak were filed by: TTX Company (the applicant); United States Army Military Surface Deployment and Distribution Command; First Union Rail Corporation (FURC), David J. Joseph Co., and Bombardier Capital Rail Inc. (all three of which will be represented by J.J. Thomas of FURC); GATX Rail; and CIT Rail Resources and General Electric Railcar Services Corporation (both of whom will be represented by George W. Mayo, Jr.).

The Board is issuing this decision to set 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 110 minutes, of which 45 minutes have been allocated to applicant and 65 minutes have been allocated to the other parties. 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 its June 22 Decision, 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 July 6, 2004, from 2 p.m. to 4 p.m. Please call (202) 565-1618 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 be used only 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>
<b><u>Panel I: Applicant</u></b>	
TTX Company	<b>45 minutes</b>
Speakers: Andrew F. Reardon (President and CEO, TTX Company), David L. Meyer (Covington & Burling)	
Note: Applicant will open, and may reserve part of its time for rebuttal. Applicant may be joined by a representative of one of TTX's participant railroads.	
<b><u>Panel II: Government Entity</u></b>	
U.S. Army Military Surface Deployment and Distribution Command	<b>20 minutes</b>
Speaker: George Gounley	
<b><u>Panel III: Other Parties</u></b>	
First Union Rail Corporation, David J. Joseph Co., and Bombardier Capital Rail Inc.	<b>20 minutes</b>
Speaker: J.J. Thomas (President, First Union Rail Corporation)	
CIT Rail Resources and General Electric Railcar Services Corporation	<b>20 minutes</b>
Speaker: George W. Mayo, Jr. (Hogan & Hartson LLP)	
GATX Rail	<b>5 minutes</b>
Speaker: Terry Heidkamp (Executive Vice President, GATX Rail)	