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October 7, 2004

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Room 700
Washington, D. C. 20423

ENTERED
Office of Proceedings

OCT 7 2004

Part of
Public Record



RE: Finance Docket No. 34495, *Buckingham Branch Railroad Company—Lease—CSX Transportation, Inc.*

Dear Secretary Williams:

On October 6, 2004, CSX Transportation, Inc. ("CSXT") filed CSXT-10, a Response to the Motion for Declassification. Inadvertently, the Attachments to the Response were omitted. Please accept the enclosed Attachments and a sincere apology for any inconvenience caused to the Board.

Enclosed are the original and 10 copies of this letter and the Attachments. Please time and date stamp the additional copy of this letter and return it with our messenger. Thank you for your assistance.

If you have any questions please call or email me.

Sincerely yours,

Louis E. Gitomer
Attorney for: CSX Transportation, Inc.

Enclosures

cc: Parties of Record

ATTACHMENT 1

BALL JANIK LLP

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August 11, 2004

OCT 7 2004
RECEIVED

Richard S. Edelman, Esq.
O'Donnell, Schwartz & Anderson, P.C.
1900 L Street, N.W., Suite 800
Washington, D. C. 20036-5023

RE: Finance Docket No. 34495, *Buckingham Branch Railroad Company—Lease—CSX Transportation, Inc.*

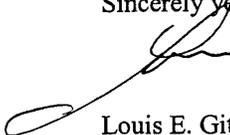
Dear Rich:

Enclosed are the responses and objections of the Buckingham Branch Railroad Company and CSX Transportation, Inc., to the Second Interrogatories and Document Requests you served on July 30, 2004. There are also responsive documents enclosed, which are classified as Highly Confidential pursuant to the Protective Order served in the above-entitled proceeding by the Surface Transportation Board on June 4, 2004.

CSXT has carefully reviewed your request to reclassify to public the FRA reports that CSXT has classified as confidential. We have decided not to reclassify the documents. Under the Protective Order full use of confidential documents is permitted in a confidential filing.

If you have any questions please call or email me.

Sincerely yours



Louis E. Gitomer
Attorney for: CSX Transportation, Inc.

Enclosures

ATTACHMENT 2

O'DONNELL, SCHWARTZ & ANDERSON, P.C.

COUNSELORS AT LAW

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FACSIMILE TRANSMISSION SHEET

TO: Lou Gitomer 202/783-6947
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Karen Rae 804/786-7286
James Paschall 757/533-4872
Dennis Moore 202/906-2821

FROM: Rich Edelman
DATE: October 1, 2004

NO. PAGES: 14 (Including Cover Sheet)

MESSAGE/REMARKS:

Please see attached correspondence.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY-PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT DISSEMINABLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

Should you have any problems with this transmission or do not receive it in its entirety, please telephone Niki Goins at (202) 898-1824.

↑
OCT 7 2004
RECEIVED

ATTACHMENT 3

Exhibit A

UNDERTAKING – CONFIDENTIAL MATERIAL

I, Richard S. Edelman, have read the Protective Order served on June 4, 2004, governing the production and use of Confidential Information and Confidential Documents in STB Finance Docket No. 34495, understand the same, and agree to be bound by its terms. I agree not to use or permit the use of any Confidential Information or Confidential Documents obtained pursuant to that Protective Order, or to use or to permit the use of any methodologies or techniques disclosed or information learned as a result of receiving such data or information, for any purpose other than the preparation and presentation of evidence and argument in STB Finance Docket No. 34495, any related proceedings before the Surface Transportation Board (Board), and/or any judicial review proceedings in connection with STB Finance Docket No. 34495 and/or with any related proceedings. I further agree not to disclose any Confidential Information, Confidential Documents, methodologies, techniques, or data obtained pursuant to the Protective Order except to persons who are also bound by the terms of the Order and who have executed Undertakings in the form hereof, and that, at the conclusion of this proceeding (including any proceeding on administrative review, judicial review, or remand), I will promptly destroy any documents containing or reflecting materials designated or stamped as "CONFIDENTIAL," other than file copies, kept by outside counsel, of pleadings and other documents filed with the Board.

I understand and agree that money damages would not be a sufficient remedy for breach of this Undertaking and that Applicants or other parties producing Confidential Information or Confidential Documents shall be entitled to specific performance and injunctive and/or other equitable relief as a remedy for any such breach, and I further agree to waive any requirement for the securing or posting of any bond in connection with such remedy. Such remedy shall not be deemed to be the exclusive remedy for breach of this Undertaking but shall be in addition to all remedies available at law or equity.

Signed: 
Dated: 6/25/04