

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

238256

ENTERED
Office of Proceedings
April 22, 2015
Part of
Public Record

CONSUMERS ENERGY COMPANY

Complainant,

v.

CSX TRANSPORTATION, INC.

Defendant.

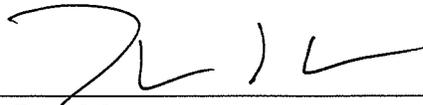
Docket No. NOR 42142

UNOPPOSED MOTION TO WITHDRAW MOTION TO COMPEL

Defendant CSX Transportation, Inc. (“CSXT”) hereby moves to withdraw the Motion to Compel it filed on April 2, 2015. That Motion sought to compel discovery responses from Consumers Energy Company (“Consumers”) regarding three classes of information: (1) information relating to Consumers’s use of water transportation options to deliver coal to Consumers facilities located near the issue destination; (2) studies of the feasibility of alternative transportation to the Campbell facility made prior to 2008; and (3) forecasts relating to Consumers facilities other than the Campbell plant.

As a result of the discovery conference held with Board staff on April 21, 2015, Consumers and CSXT have reached a private agreement that resolves the discovery issues raised in CSXT’s Motion to Compel. Accordingly, CSXT moves to withdraw its Motion to Compel. Counsel for Consumers has authorized CSXT to represent that Consumers does not oppose this motion.

Respectfully submitted,



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Dated: April 22, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2015, I caused a copy of the foregoing CSX Transportation, Inc.'s Motion to Withdraw Motion to Compel to be served on the following parties by first class mail, postage prepaid or more expeditious method of delivery:

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