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June 20, 2011

Via E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

Re: *Canexus Chemicals Canada L.P. v. BNSF Railway Company, FD 35524*

Dear Ms. Brown:

This letter is in response to the Board's Decision served in this proceeding on June 16, 2011. After giving careful consideration of BNSF's proposal to submit this matter to Board-supervised mediation, Canexus respectfully informs the Board that it does not believe this particular matter is appropriate for Board-sponsored mediation, primarily because of the presence of a confidential contract between Canexus and UP to which BNSF is not a party. Canexus therefore informs the Board that it respectfully declines to participate in Board-sponsored mediation in this particular matter.

Please feel free to contact me with any questions.

Regards,

Thomas W. Wilcox
Attorney for Canexus Chemicals L.P.

CC: Counsel for BNSF
Counsel for UP

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