

36683
SEC

SERVICE DATE – FEBRUARY 1, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34667

BNSF RAILWAY COMPANY—ACQUISITION AND OPERATION—STATE OF
SOUTH DAKOTA

Decided: January 31, 2006

On February 18, 2005, BNSF Railway Company (BNSF) filed an application for authority under 49 U.S.C. 10901 to acquire from the State of South Dakota and to operate approximately 368 route miles of railroad lines, extending principally: between milepost (MP) 777.0 near Aberdeen, SD, and MP 650.6 near Mitchell, SD; between MP 518.9 near Sioux City, IA, and MP 649.7 near Mitchell, SD; between MP 293.1 near Canton, SD, and MP 650.6 near Mitchell SD; between MPs 74.1 and 68.8 in Sioux Falls, SD; between MP 68.8 near Sioux Falls, SD, and MP 49.4 near Canton, SD; and between MPs 511.9 and 518.9 in Sioux City, IA. Notice of the filing was served on March 3, 2005, and published in the Federal Register on March 8, 2005 (70 FR 11309-10).

By letter filed on January 17, 2006, BNSF requests that its application be withdrawn because an exemption for the transaction was obtained in BNSF Railway Company—Acquisition and Operation Exemption—State of South Dakota, STB Finance Docket No. 34794 (STB served Dec. 19, 2005). The request will be granted and the STB Finance Docket No. 34667 proceeding will be dismissed.

It is ordered:

1. The request to withdraw the application is granted and the proceeding in STB Finance Docket No. 34667 is dismissed.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary