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SERVICE DATE – LATE RELEASE NOVEMBER 16, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35229

PACIFIC HARBOR LINE, INC.—PETITION FOR DECLARATORY ORDER

Decided: November 16, 2009

On March 12, 2009, Pacific Harbor filed a petition for declaratory order arising out of a dispute regarding storage charges assessed by Pacific Harbor against Los Angeles Harbor Grain Terminal (LAHGT). In its petition, Pacific Harbor requested that the Board institute a declaratory order proceeding to remove uncertainty regarding payment-related responsibilities of the LAHGT.

On October 15, 2009, Pacific Harbor filed a letter to withdraw its petition for declaratory order. The request to withdraw the petition for declaratory order will be granted.

It is ordered:

1. Pacific Harbor's request to withdraw its petition for declaratory order is granted.
2. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.