

BEFORE THE
SURFACE TRANSPORTATION BOARD

 GRANTED Office of Proceedings	DECISION ID NO.: <u>42537</u>
	DECIDED DATE: <u>7/19/12</u>
	SERVICE DATE: <u>7/20/12</u>
	APPROVED: <u>Rachel Campbell</u> Director
<input type="checkbox"/>	

CANEXUS CHEMICALS CANADA, L.P.

Complainant,

v.

BNSF RAILWAY COMPANY

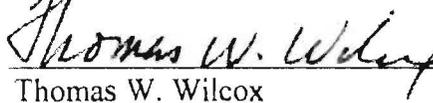
Defendant.

Docket NOR 42132

MOTION TO DISMISS COMPLAINT

On May 15, 2012 the Board's Office of Proceedings granted the joint request of Complainant Canexus Chemicals Canada, L.P. ("Canexus") and Defendant BNSF Railway Company ("BNSF") to hold this case in abeyance because the parties had reached an agreement in principle to settle the rate reasonableness claims raised by Canexus in this proceeding. The parties agreed to inform the Board immediately when they had concluded their settlement, or if it was necessary for the Board to resume the procedural schedule. Canexus hereby informs the Board that the parties have successfully concluded their settlement discussions, which resolved all of the matters covered by Canexus' complaint. Accordingly, Canexus hereby requests that the Board dismiss its complaint, with prejudice, and discontinue this proceeding. The undersigned is authorized by BNSF counsel to represent to the Board that BNSF does not oppose this motion.

Respectfully submitted,



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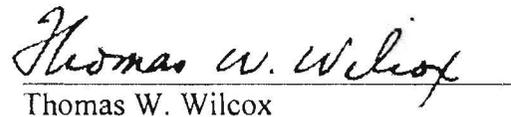
Dated: July 18, 2012

CERTIFICATE OF SERVICE

I do hereby certify that on this 18th day of July, 2012, I have served a copy of the foregoing Motion to Dismiss Complaint by first-class mail upon counsel for Defendant at the following addresses:

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