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SEC

SERVICE DATE - APRIL 28, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 41987

WESTERN FUELS SERVICE CORPORATION

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: April 26, 2000

Western Fuels Service Corporation (Western), a noncarrier, filed a complaint under 49 U.S.C. 11102 seeking an order requiring The Burlington Northern and Santa Fe Railway Company (BNSF) to grant Western terminal trackage rights over BNSF's so-called "North Gillette Line" in the Powder River Basin of Wyoming. On April 24, 2000, Western filed a motion for a Board order dismissing its complaint with prejudice. Western indicates that it has entered into a settlement agreement with BNSF. The request will be granted.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The request is granted, the complaint is dismissed with prejudice, and the proceeding is discontinued.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary