

UP-28

236339

BEFORE THE
SURFACE TRANSPORTATION BOARD

Finance Docket No. 32549

BURLINGTON NORTHERN INC. AND
BURLINGTON NORTHERN RAILROAD COMPANY
- CONTROL AND MERGER -
SANTA FE PACIFIC CORPORATION AND
THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY

ENTERED
Office of Proceedings
July 21, 2014
Part of
Public Record

MOTION TO DISMISS

 GRANTED Office of Proceedings	DECISION ID NO.: <u>43934</u>
	DECIDED DATE: <u>7-22-14</u>
	SERVICE DATE: <u>7-22-14</u>
	APPROVED: <u>[Signature]</u> Acting Director
<input type="checkbox"/>	

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Railroad Company*

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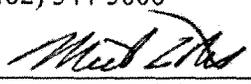
MOTION TO DISMISS

Union Pacific Railroad Company hereby moves to dismiss with prejudice UP's Petition to Institute a Proceeding to Clarify the Fee Adjustment Mechanism for Trackage Rights Imposed as a Condition on the BN/Santa Fe Merger, filed December 23, 2010. UP and BNSF have resolved the matter privately.

Respectfully submitted,

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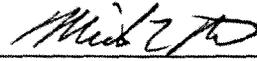

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July 21, 2014

CERTIFICATE OF SERVICE

I, Michael L. Rosenthal, certify that on this 21st day of July, 2014, copies of the foregoing Motion to Dismiss have been served by first-class mail, postage prepaid, on all parties of record in Finance Docket No. 32549.



Michael L. Rosenthal