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SEC

SERVICE DATE – FEBRUARY 8, 2005

Surface Transportation Board
Washington, DC 20423-0001

February 4, 2005

STB Docket No. 42057

PUBLIC SERVICE COMPANY OF COLORADO D/B/A XCEL ENERGY
v.
THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

NOTICE

A court action, entitled as shown below,
was instituted on or about January 28, 2005,
involving the above-titled proceeding:

No. 05-1030

BNSF Railway Company

v.

**Surface Transportation Board and
United States of America**

*before the
United States Court of Appeals for the District of Columbia Circuit*

Vernon Williams
Secretary