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SEC

SERVICE DATE – JUNE 6, 2006  
SURFACE TRANSPORTATION BOARD

NOTICE

*STB Docket No. 42071*

OTTER TAIL POWER COMPANY  
v.  
BNSF RAILWAY COMPANY

The following court action was instituted, on or about June 1, 2006, in the United States Court of Appeals for the Eighth Circuit, seeking judicial review of the Board's decision in the above-titled proceeding:

No. 06-2412

Otter Tail Power Company

v.

Surface Transportation Board and United States of America

Vernon A. Williams  
Secretary