

SERVICE DATE - JULY 25, 1997

SURFACE TRANSPORTATION BOARD<sup>1</sup>

No. 41670

SHELL CHEMICAL COMPANY and SHELL OIL COMPANY

v.

BOSTON & MAINE CORPORATION, *ET AL.*

Decision No. 20

Decided: July 22, 1997

In a motion filed July 18, 1997, complainants Shell Chemical Company and Shell Oil Company indicate that they have reached agreements and resolved their controversy with defendant Canadian National Railway Company. Accordingly, complainants move to dismiss with prejudice as to that defendant.<sup>2</sup>

The request is reasonable and will be granted.

*It is ordered:*

1. The motion to dismiss is granted, and the complaint is dismissed with prejudice as to defendant Canadian National Railway Company.

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

---

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This decision relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to new 49 U.S.C. 10701. Therefore, this decision applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.

<sup>2</sup> With the dismissal of this defendant, there are 21 remaining defendants. *See* Decision No. 19 (served June 26, 1997), slip op. at 1-2 (listing the 22 then remaining defendants).