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SEC

SERVICE DATE – MAY 2, 2005

Surface Transportation Board
Washington, DC 20423-0001

April 28, 2005

STB Docket No. 42058

ARIZONA ELECTRIC POWER COOPERATIVE, INC.
v.
**THE BURLINGTON NORTHERN AND SANTA FE RAILWAY
COMPANY AND UNION PACIFIC RAILROAD COMPANY**

N O T I C E

A court action, entitled as shown below,
was instituted on or about April 22, 2005,
involving the above-titled proceeding:

No. 05-1136

Arizona Electric Power Cooperative, Inc.

v.

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

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

**Vernon A. Williams
Secretary**