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SEC

SERVICE DATE - MAY 27, 2004

Surface Transportation Board
Washington, DC 20423-0001

May 25, 2004

STB Docket No. 41191

**WEST TEXAS UTILITIES COMPANY V. THE BURLINGTON
NORTHERN AND SANTA FE RAILWAY COMPANY**

N O T I C E

A court action, entitled as shown below,
was instituted on or about May 17, 2004,
involving the above-titled proceeding:

No. 04-1162

Burlington Northern and Santa Fe 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**