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SERVICE DATE – LATE RELEASE DECEMBER 17, 2013

SURFACE TRANSPORTATION BOARD

NOTICE

Docket No. FD 35557

REASONABLENESS OF BNSF RAILWAY COMPANY COAL DUST MITIGATION
TARIFF PROVISIONS

December 17, 2013

NOTICE TO THE PARTIES:

The decision served in this proceeding on December 13, 2013, contained the following citation at page 30: “See Union Pac. R.R.—Pet. for Declaratory Order, FD 35504, slip op. at 3-4 (STB served Apr. 30, 2013) (finding the tariff at issue to be unreasonable in part because shippers would be responsible for damages caused by third party or acts of God although railroad claimed it did not intend that result).”

Please revise your copies of the decision by replacing that citation with the following: “See Union Pac. R.R.—Pet. for Declaratory Order, FD 35504, slip op. at 3-4 (STB served Apr. 30, 2013) (declining to declare indemnification provision in tariff reasonable).” A corrected version of the decision will be available on the Board’s website.

Rachel D. Campbell
Director, Office of Proceedings