

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 41191 (Sub-No. 1)

AEP TEXAS NORTH COMPANY

v.

BNSF RAILWAY COMPANY<sup>1</sup>

Decided: April 21, 2005

In this case, AEP Texas North Company, successor in interest to West Texas Utilities Company, challenges the reasonableness of rates charged by BNSF Railway Company for movements of coal from origins in the Power River Basin of Wyoming to AEP Texas' Oklaunion Generating Station near Vernon, TX. The parties filed their opening evidence on March 1, 2004; reply evidence on May 24, 2004; and rebuttal evidence on July 27, 2004.

The Board is establishing a briefing schedule, providing for a single round of simultaneous briefs, not exceeding 25 pages in length, to be filed by June 9, 2005. In the briefs, each party should set forth its position on key issues in light of the full record and identify issues that have been narrowed or are no longer in dispute. The parties are reminded that new evidence is not permitted in briefs and will be subject to motions to strike and other sanctions.

It is ordered:

1. Briefs not to exceed 25 pages in length are due by June 9, 2005.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

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<sup>1</sup> Effective January 20, 2005, The Burlington Northern and Santa Fe Railway Company changed its name to BNSF Railway Company.