

SURFACE TRANSPORTATION BOARD

DECISION

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

AEP TEXAS NORTH COMPANY

v.

BNSF RAILWAY COMPANY

Decided: April 10, 2006

In a decision served on March 17, 2006, we instructed both parties to file supplemental information that could be used in analyzing the traffic group and operating plan issues raised in this stand-alone cost case (March 17 decision). On April 5, 2006, BNSF Railway Company (BNSF) filed a petition for reconsideration of the March 17 decision based on arguments that have already been presented in the record.

The March 17 decision was not a ruling on substantive matters, nor an invitation to reargue issues; rather it was simply a request for supplemental information we believe will help us decide this case. Once we have issued a decision ruling on the merits of the case, if BNSF believes we should reconsider any aspect of that decision, it may file an appropriate petition for reconsideration at that time.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. BNSF's petition for reconsideration is denied.
2. This decision is effective on the date of service.

By the Board, Chairman Buttrey and Vice Chairman Mulvey.

Vernon A. Williams
Secretary