

2901  
SEC

SERVICE DATE - MARCH 20, 1998

SURFACE TRANSPORTATION BOARD

No. 40875

CHEVRON CHEMICAL COMPANY

v.

SOUTHERN PACIFIC TRANSPORTATION COMPANY

Decided: March 19, 1998

On February 5, 1998, the Board issued a decision in this proceeding which noted that defendant Southern Pacific Transportation Company (SP) had requested that this complaint be dismissed because of several procedural deficiencies in the complaint. The decision also set forth several matters that required clarification if complainant intended to proceed and requested that the parties advise the Board by March 2, 1998, on whether a dispute remains or whether the case has been settled or otherwise resolved. If complainant desired to pursue the complaint, the Board ordered the complainant to file a supplemental statement no later than March 17, 1998.

On March 2, 1998, SP's successor, Union Pacific Railroad Company (UP),<sup>1</sup> filed a pleading stating that it had been unable to contact the complaining shipper and requested that the proceeding be dismissed. Complainant has not responded to the February 5 decision. Under these circumstances, the proceeding will be dismissed.

It is ordered:

1. The proceeding is dismissed.
2. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

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<sup>1</sup> SP is no longer a separate legal entity. It was merged into UP on February 1, 1998.