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SEC

SERVICE DATE - JANUARY 29, 1997  
**SURFACE TRANSPORTATION BOARD**  
Washington, D.C. 20423

January 22, 1997

*Finance Docket No. 30186 (Sub-No. 2)<sup>1</sup>*

Tongue River Railroad Co.--Rail Construction and  
Operation--Ashland to Decker, Montana

**NOTICE**

A court action, entitled as shown below,  
was instituted on or about January 7, 1997,  
involving the above-entitled proceeding:

**No. 97-70037**

Northern Plains Resource Council, Inc.  
a Montana Non-Profit Corporation

V.

The Surface Transportation Board  
United States of America

*before the  
United States Court of Appeals for the Ninth Circuit*

VERNON A. WILLIAMS

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<sup>1</sup>Embraces Docket No. 30186, Tongue River R.R.--Rail Construction and Operation--In Custer, Powder River and Rosebud Counties, Montana, and No. 30186 (Sub-No. 1), Tongue River Railroad Company--Issuance of Securities

Secretary