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# United States Senate

WASHINGTON, DC 20510

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Office of Proceedings  
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Ms. Cynthia Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street SW  
Washington, DC 20423-0011

Re: STB Docket No. 42139, James Valley Grain, LLC v.  
BNSF Railway Company

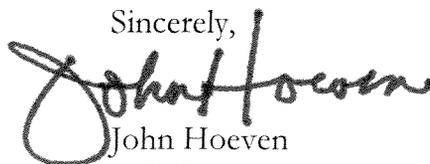
Dear Ms. Brown,

It is my understanding that James Valley Grain, LLC ("JVG") petitioned the Surface Transportation Board ("STB") to enter an order compelling BNSF Railway Company ("BNSF") to establish a direct, non-discriminatory through rate from Verona, North Dakota to the Pacific Northwest and that BNSF has invoked expedited arbitration with Red River Valley and Western Railroad ("RRVR"). JVG will be physically served by RRVR but the grain will ultimately move on BNSF rail.

North Dakota exports most of its grain to markets out of the state and good, dependable, affordable access to rail is a necessity. The old elevator in Verona was serviced by only 26 railcars at a time, but it has since been closed. The new elevator would be served by a much larger rail facility, which will enable local farmers better access to markets.

Unfortunately, this dispute has caused the farmers of Southeast North Dakota to wait too long for a new facility. I have pushed the parties to settle this dispute and urge the STB to do the same and make a timely decision on this petition.

Sincerely,



John Hoeven  
U.S. Senator