

BEFORE THE
SURFACE TRANSPORTATION BOARD

233478

ENTERED

Office of Proceedings

December 10, 2012

Part of

Public Record

North America Freight Car Association)

Complainant,)

v.)

BNSF Railway Company, *et al.*,)

Defendants)

Docket No. 42137

**UNION PACIFIC RAILROAD COMPANY'S
ANSWER TO COMPLAINT**

CONNIE S. ROSEBERRY
LOUISE A. RINN
DANIELLE E. BODE
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, NE 68179
402-544-5515

Attorneys for Union Pacific Railroad Company

December 10, 2012

BEFORE THE
SURFACE TRANSPORTATION BOARD

North America Freight Car Association)	
)	
Complainant,)	
)	
v.)	Docket No. 42137
)	
BNSF Railway Company, <i>et al.</i> ,)	
)	
Defendants)	
)	

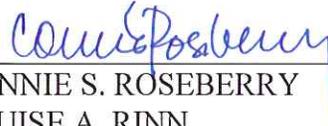
**UNION PACIFIC RAILROAD COMPANY'S
ANSWER TO COMPLAINT**

UNION PACIFIC RAILROAD COMPANY (“UPRR”) hereby answers the Complaint filed by North America Freight Car Association in this proceeding. UPRR adopts and incorporates by reference the Answer of the Association of American Railroads (“AAR”) in response to all allegations in the Complaint, except to the extent UPRR lacks sufficient information to either admit or deny certain allegations as delineated below. UPRR denies all allegations that are not specifically admitted herein or through reference to the Answer of the AAR.

Regarding the allegations in numbered Paragraph 13 of the Complaint, UPRR lacks sufficient information to admit or deny the second sentence of Paragraph 13, and therefore denies the statement in its entirety. UPRR otherwise adopts and incorporates by reference the Answer of AAR with respect to this Paragraph.

Regarding the allegations in numbered Paragraph 14 of the Complaint, UPRR lacks sufficient information to admit or deny the first two sentences of Paragraph 14, and therefore denies the statements in their entirety. UPRR denies the remaining allegations of Paragraph 14 because of the conclusory nature of the allegations therein. UPRR otherwise adopts and incorporates by reference the Answer of AAR with respect to this Paragraph.

Respectfully submitted,



CONNIE S. ROSEBERRY
LOUISE A. RINN
DANIELLE E. BODE
Union Pacific Railroad Company
1400 Douglas Street, MS 1580
Omaha, NE 68179
402-544-5515

Attorneys for Union Pacific Railroad Company

December 10, 2012

CERTIFICATE OF SERVICE

I, CONNIE S. ROSEBERRY, hereby certify that on this 10th day of December, 2012, I served by first class mail, postage prepaid, a copy of this petition on counsel for Complainant:

Andrew P. Goldstein
John M. Cutler, Jr.
McCarthy, Sweeny & Harkaway, P.C.
1825 K Street, N.W., Suite 700
Washington, DC 20006

Thomas W. Wilcox
Svetlana V. Lyubchenko
GKGC Law, P.C.
1054 31st Street, N.W., Suite 200
Washington, D.C. 20007

and separately on counsel for each Defendant.



CONNIE S. ROSEBERRY