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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
JAN 25 2012
Part of
Public Record

Finance Docket No. 35504

**UNION PACIFIC RAILROAD COMPANY – PETITION
FOR DECLARATORY ORDER**

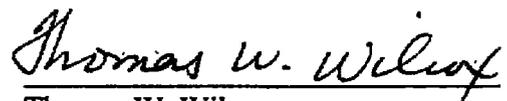
OPENING COMMENTS OF U.S. MAGNESIUM, L.L.C.

U.S. Magnesium, L.L.C. (“USM”), a Party of Record in this proceeding, hereby submits its Opening Comments pursuant to the Decision issued in this docket on December 12, 2011.

USM owns and operates a magnesium production facility located at Rowley, Utah, on the Great Salt Lake. USM is the only remaining producer of primary magnesium in the United States. Chlorine is one of several chemical co-products of the plant’s magnesium production, whose primary feedstock is the vast amount of magnesium chloride present in the Great Salt Lake. Chlorine is crucial to the health of millions of Americans due to its widespread use in water purification. It is also vital to the United States economy because it is used as a building block in hundreds of essential and diverse products used throughout the economy from plastics to pharmaceuticals. Rail transportation by the Union Pacific Railroad Company (“UP”) is the safest and most feasible means for USM to ship its chlorine to its customers. Accordingly, USM is directly affected by the common carrier and contractual provisions UP adopts that allocate risks and liabilities between UP and its customers.

USM is also a member of The Chlorine Institute. As its opening comments in this proceeding, USM states that it agrees with and adopts the Joint Opening Comments of The Chlorine Institute, American Chemistry Council, The Fertilizer Institute, and the National Industrial Transportation League.

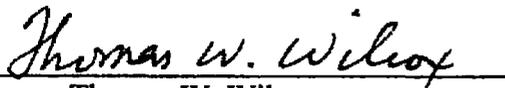
Respectfully submitted,


Thomas W. Wilcox
Attorney for U.S. Magnesium, L.L.C.

Dated: January 25, 2012

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of January, 2012, I served a copy of the foregoing Opening Comments of U.S. Magnesium, L.L.C. ("USM") as well as a copy of the Notice of Intent to Participate previously filed by USM with the Surface Transportation Board on January 6, 2012 via email to the following addressees:


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