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January 8, 2009

BY HAND DELIVERY

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001



Re Docket No. 42113, Arizona Electric Power Cooperative, Inc v. BNSF Railway Company and Union Pacific Railroad Company

Dear Acting Secretary Quinlan

Enclosed for filing are an original and 10 copies of the certificate of service of the complaint in the above-captioned proceeding on January 7, 2009, in accordance with 49 C.F.R. § 1111.3

Please contact the undersigned if there are any questions concerning this matter

ENTERED
Office of Proceedings

JAN 08 2009

Part of
Public Record

Respectfully submitted,

A handwritten signature in black ink that reads "Robert D. Rosenberg".

Robert D. Rosenberg
An Attorney for Arizona Electric Power
Cooperative, Inc.

Enclosures
RDR:rlh

cc Anthony J. LaRocca, Esq --w/encl
Michael L. Rosenthal, Esq.--w/encl

CERTIFICATE OF SERVICE OF COMPLAINT

I, Robert D. Rosenberg, certify that copies of the complaint that Complainant Arizona Electric Power Cooperative, Inc., filed in STB Docket No. 42113 on December 30, 2008, against Defendants BNSF Railway Company and Union Pacific Railroad Company were delivered by overnight courier on the following Chief Legal Officers of the Defendants on January 7, 2009, in accordance with 49 C.F.R. § 1111.3:

Roger Nober, Esq
Executive Vice President Law
BNSF Railway Company
2650 Lou Menk Drive
Fort Worth, TX 76131

J. Michael Hemmer, Esq
Senior Vice President, Law and
General Counsel
Union Pacific Railroad Company
1400 Douglas Street
Omaha, NE 68179


Robert D Rosenberg

Dated January 8, 2009