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BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Finance Docket No. 34667

BNSF RAILWAY COMPANY – ACQUISITION AND OPERATION –  
STATE OF SOUTH DAKOTA

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**WITHDRAWAL OF APPLICATION  
FOR ACQUISITION AND OPERATION AUTHORITY**

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JAN 16 2006

**Part of  
Public Record**

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Attorneys for BNSF Railway Company

Dated: January 17, 2006

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BNSF Railway Company (“BNSF”) hereby withdraws the Application for Acquisition and Operation Authority filed in this proceeding on February 18, 2005. As the Board is aware, acquisition and operation authority was obtained in Finance Docket No. 34794 (Notice of Exemption filed on November 29, 2005).

Respectfully submitted,



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Attorneys for BNSF Railway Company

Dated: January 17, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Withdrawal of Application was served on all parties of record by first-class mail, postage prepaid, this 17<sup>th</sup> day of January, 2006.

David J. Felt