



Robert T. Opal  
General Commerce and FRA Counsel

September 20, 2007

**Via E-Filing**

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

**RE: Docket No. 42052; Union Pacific Railroad Company -- Petition for  
Declaratory Order -- Unilaterally Imposed Interchange Charges**

Dear Mr. Williams:

As the Board is aware, on December 19, 2006, UP filed a motion to dismiss this proceeding. The only party to respond to this motion was the Indiana Harbor Belt Railroad Company (IHB), which filed a Reply in opposition on January 8, 2007. Because of IHB's opposition, the Board served a decision on June 21, 2007, which denied UP's motion and called for the filing of briefs by July 23, 2007. By decision served July 20, 2007, the due date was extended to September 21, 2007, to permit settlement discussions between UP and IHB.

I am pleased to advise that UP and IHB have reached a settlement agreement covering the issues involved in this proceeding, and that IHB now supports dismissal of the proceeding. Accordingly, UP hereby renews its request that this proceeding be dismissed.

IHB will confirm its concurrence to dismissal of this proceeding by separate letter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Robert T. Opal", written over a light blue horizontal line.

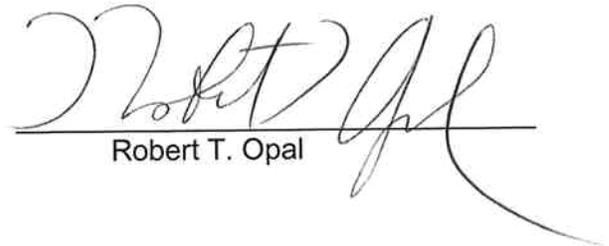
Robert T. Opal

cc: Parties listed in Certificate of Service

**CERTIFICATE OF SERVICE**

I certify that I have served a copy of the foregoing document on all parties to this proceeding as shown on the attached service list.

Dated and Omaha, Nebraska this 20<sup>th</sup> day of September, 2007.

  
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