

**SURFACE TRANSPORTATION BOARD TO HOLD NOV. 30 ORAL ARGUMENT IN
"STATE OF MONT. v. BNSF" UNREASONABLE-PRACTICE COMPLAINT**

The Surface Transportation Board announced today that it will hold a **Nov. 30, 2010**, oral argument in the case entitled [State of Montana v. BNSF Railway Company, Docket No. 42124](#).

At issue is a BNSF Railway Company (BNSF) motion to dismiss the State of Montana's (Montana) complaint. The complaint argues that a BNSF tariff change made in 2009 is unreasonable because it places an alleged 48-railroad-car limit on wheat shipments from Montana grain elevators having a 52-car or greater capacity.

The oral argument will begin at **9:30 a.m.** in the **1st-floor hearing room** of the Board's headquarters located in the **Patriots Plaza I building, 395 E Street, S.W., Washington, D.C.** Montana and BNSF each will have 20 minutes to argue their positions and to respond to questions from the Board Members, similar to proceedings held in federal appellate courts. Though the oral argument is open to the public, only counsel for the parties in the case will be permitted to speak. Photo identification is necessary to enter the building.

A live video broadcast of the oral argument will be available via the Board's website, at www.stb.dot.gov, under "Information Center"/"Webcast"/"Live Video" on the home page.

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