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BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 32760

ENTERED
Office of Proceedings
July 22, 2022
Part of
Public Record

UNION PACIFIC CORPORATION, UNION PACIFIC RAILROAD
COMPANY AND MISSOURI PACIFIC RAILROAD COMPANY
—CONTROL AND MERGER—
SOUTHERN PACIFIC RAIL CORPORATION, SOUTHERN PACIFIC
TRANSPORTATION COMPANY, ST. LOUIS SOUTHWESTERN RAILWAY
COMPANY, SPCSL CORP., AND THE DENVER AND
RIO GRANDE WESTERN RAILROAD COMPANY

JOINT MOTION TO DISMISS PETITION FOR DECLARATORY ORDER

On April 5, 2022, BNSF¹ filed a Petition for Declaratory Order (“Petition”) in this proceeding, seeking an order that the issues raised in UP’s arbitration Demand must be resolved by the Board. BNSF and UP have now agreed that UP will dismiss without prejudice the arbitration Demand and that the parties will make this joint request that the Board dismiss the BNSF Petition without prejudice. BNSF and UP respectfully request that the Board grant this Joint Motion to Dismiss.

¹ The acronyms and defined terms used in this letter are the same as those used in BNSF’s April 5, 2022 Petition for Declaratory Order, unless otherwise defined herein.

Respectfully submitted,

/s/ Marianna F. Jackson

Marianna F. Jackson
Michael L. Rosenthal
Benjamin J. Razi
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, D.C. 20001
(202) 662-6000

*Counsel for Union Pacific Railroad
Company*

/s/ Adrian L. Steel, Jr.

Adrian L. Steel, Jr.
Adam C. Sloane
Mayer Brown LLP
1999 K Street, NW
Washington, DC 20006
(202) 263-3237

Anthony J. LaRocca
Peter W. Denton
John J. Kavanagh
Onika K. Williams
Steptoe & Johnson LLP
1330 Connecticut Ave., NW
Washington, DC 20036
(202) 429-3000

*Counsel for BNSF Railway
Company*

Dated: July 22, 2022

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of July, 2022, I have caused the foregoing Joint Motion to Dismiss Petition for Declaratory Order to be served electronically or by first-class mail, postage pre-paid, on all parties of record in this proceeding.

/s/ Onika K. Williams

Onika K. Williams

Attorney for BNSF Railway Company