

305042

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.

 GRANTED Office of Proceedings	DECISION ID NO.: <u>51371</u>
	DECIDED DATE: <u>7/29/2022</u>
	SERVED DATE: <u>7/29/2022</u>
	APPROVED: <u><i>MacNeil</i></u> Director
☒ BNSF pet. dismissed w/o prejudice	

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

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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