



Department of Energy

Washington, DC 20585

December 19, 2014

Chairman Daniel R. Elliott III
Office of Chairman
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20420-0001



RE: Docket Nos. 38302S and 38376S

Dear Chairman Elliott:

The August 19, 2013, decision in these dockets (served August 26, 2013, and effective on September 25, 2013), approved the Government's settlement agreement with BNSF Railway Company ("BNSF"), and held that these proceedings would continue to be held in abeyance, with the Government filing quarterly reports on the progress of settlement negotiations. That order followed a prior order in these proceedings entered July 27, 2005 (served August 2, 2005, and effective September 1, 2005), approving the Government's settlement agreement with Union Pacific Railroad Company.

This report updates our most recent report of September 30, 2014. We continue efforts with Norfolk Southern Railway Company toward a settlement and finalized settlement documents. We will file a further report by the end of March 2015.

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Sincerely,

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Office of Proceedings
December 19, 2014
Part of
Public Record

cc: Vice Chairman Deb Miller
Board Member Ann D. Begeman
Attached Service List



CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2014, copies of the foregoing document were served by prepaid first-class mail on counsel for the major carrier parties of record and counsel for other parties participating in related proceedings by mailing copies to the following:

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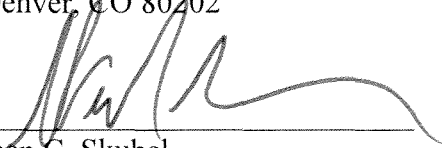
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