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OCT 3 2011

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October 3, 2011

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

By Messenger

Re: State of Montana v. BNSF Railway Co.
Docket No. 42124

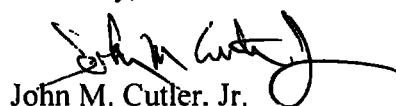
Dear Ms. Brown:

Our office was informed by the STB that the three pages of Appendix D to the Rebuttal Verified Statement of Montana Witness Terry Whiteside in the above-referenced proceeding were illegible. Clearer copies of those three pages have been obtained from Mr. Whiteside and are attached. Two sets are provided – one set for the Public Version and one set for the Highly Confidential Version – though the two sets are identical.

Montana regrets the error. Also enclosed are versions of Montana's Opening and Rebuttal filings in the case in electronic versions on four CDs – one each for the Public and Highly Confidential versions of the Opening filing and one each for the Public and Highly Confidential versions of the Rebuttal filing (including the replacement pages for Mr. Whiteside's Appendix D).

Please contact me if there are any questions.

Sincerely,


John M. Cutler, Jr.
Attorney for State of Montana

cc: (with enclosures): All parties of record

CP TARIFF INC.

Page 1 of 1

CP TARIFF INC.
401-9TH AVE. S.W.
CALGARY, AB T2P 4Z4
CPPS 4445-B

ITEM. 10005
REVISION: 31
ISSUED: JUL 15, 2011
EFFECTIVE: AUG 01, 2011
EXPIRES: JUL 31, 2012

CHANGES ADDED ORIGIN

FOR APPLICATION OF CHARGES, SEE ITEM 10000
CHARGES IN U.S. DOLLARS PER CAR
(SUBJECT TO ITEM 8-SERIES IF APPLICABLE)

COMMODITY: WHEAT STCC 31 137 10
DURUM 01 137 20
RYE 01 135 10

TO Chicago, IL

FROM	LOW CAP			HIGH CAP			ROUTE
	1 CAR	25 CARS	50 CARS	1 CAR	25 CARS	50 CARS	
ALBERTA							
Blackfoot	\$5,703	\$5,553	\$5,378	\$6,273	\$6,123	\$5,948	0001
Calgary	\$5,703	\$5,553	\$5,378	\$6,273	\$6,123	\$5,948	0001
Carleton Place	\$5,696	\$5,536	\$5,361	\$6,254	\$6,104	\$5,929	0001
Cassils	\$5,558	\$5,408	\$5,233	\$6,114	\$5,964	\$5,789	0001
Dunmore	\$5,454	\$5,304	\$5,129	\$5,999	\$5,849	\$5,674	0001
Indus	\$5,686	\$5,536	\$5,361	\$6,254	\$6,104	\$5,929	0001
Lethbridge	\$5,528	\$5,358	\$5,183	\$6,059	\$5,909	\$5,734	0001
Medicine Hat	\$5,454	\$5,304	\$5,129	\$5,999	\$5,849	\$5,674	0001
Provost	\$5,856	\$5,706	\$5,531	\$6,441	\$6,291	\$6,116	0001
Redcoat	\$5,459	\$5,309	\$5,134	\$6,005	\$5,855	\$5,680	0001
Stettler (Al)	\$5,494	\$5,344	\$5,169	\$6,593	\$6,443	\$6,268	0001
Stirling	\$5,508	\$5,358	\$5,183	\$6,059	\$5,909	\$5,734	0001
Taber	\$5,453	\$5,303	\$5,128	\$6,005	\$5,855	\$5,680	0001
(R) Transmark	\$5,308	\$5,158	\$4,983	\$5,859	\$5,709	\$5,534	0001
Vulcan	\$5,703	\$5,553	\$5,378	\$6,273	\$6,123	\$5,948	0001
Wilson	\$5,528	\$5,358	\$5,183	\$6,059	\$5,909	\$5,734	0001

Routing: 0001 - CPRS DIRECT

Equipment Covered Hopper Cars

Charges are in US funds.

Low Cap: Cars having a marked capacity less than 4800 cubic foot capacity.

High Cap: Cars having a marked capacity equal to or greater than 4800 cubic foot capacity.

Al Charge includes CWR Inter-switching at origin.

Price does not apply when final destination is in the country of Mexico.

*Line is restricted to 168,000 lbs

All rates are applicable only with rack on rates in tariff 4445 item 3023

TARIFF INC

Page 1 of 2

TARIFF INC.
401-9TH AVE. S.W.
CALGARY, AB T2P 4Z4
CPRS 4445-B

ITEM: 10095
REVISION: 17
ISSUED: JUL 18, 2011
EFFECTIVE: AUG 01, 2011
EXPIRES: JUL 31, 2012

CHANGES RENEWAL (RATE INCREASE)

(X) SUBJECT TO ITEM 8-SERIES IF APPLICABLE)

COMMODITY WHEAT
DUPON

STCC: 01 137 10/15
01 137 20

ORIGIN	DESTINATION	LOW CAP				HIGH CAP				ROUTE
		1 CAR	25 CARS	50 CARS	100 CARS	1 CAR	25 CARS	50 CARS	100 CARS	
SASKATCHEWAN	COLORADO									
CHAPLIN	PLATTEVILLE	\$5,863	----	----	----	\$6,449	----	----	----	4001
(R) FRONTIER		\$6,610	----	----	----	\$7,271	----	----	----	4001
GULL LAKE		\$5,948	----	----	----	\$6,543	----	----	----	4001
LOREBURN		\$6,147	----	----	----	\$6,762	----	----	----	4001
MOSSBANK		\$5,863				\$6,449				4001
PRELATE		\$6,347	----	----	----	\$6,982	----	----	----	4001
WOLSELEY		\$5,657	----	----	----	\$6,222	----	----	----	4001
BRACKEN	COMMERCE CITY	\$6,754	----	----	----	\$7,429	----	----	----	4001
CHAPLIN		\$5,863	----	----	----	\$6,449	----	----	----	4001
LANG		\$5,704	----	----	----	\$6,274	----	----	----	4001
LOREBURN		\$6,147	----	----	----	\$6,762	----	----	----	4001
MOSSBANK		\$5,863	----	----	----	\$6,449	----	----	----	4001
MINNITOMA										
WILLARNEY	COMMERCE CITY	\$5,219	\$5,069	\$4,919	\$4,819	\$5,741	\$5,591	\$5,441	\$5,341	4001
WILLARNEY	DENVER	\$5,219	\$5,069	\$4,919	\$4,819	\$5,741	\$5,591	\$5,441	\$5,341	4001
ALBERTA										
BARNWELL	COMMERCE CITY	\$5,897	----	----	----	\$6,480	----	----	----	0912

ROUTE 4001 - CPPS, STPAU, UP
0912 - CPRS, KINGS, UP

EQUIPMENT Covered Hopper Cars

CP TARIFF INC.

Page 1 of 3

CP TARIFF INC.
401 - 9TH AVE. S.W.
CALGARY, AB T2P 4Z4
CPRS 4445-B

ITEM: 11020
REVISION: 1
ISSUED: JUN 18, 2011
EFFECTIVE: AUG 01, 2011
EXPIRES: JUL 31, 2012

CHANGE: RENEWAL (RATE INCREASE)

(1) CHARGES IN U.S. DOLLARS PER CAR
(SUBJECT TO ITEM 8-SERIES IF APPLICABLE)

COMMODITY: WHEAT STCC: 01 137 10
WHEAT ORG 01 137 15
DURUM 01 137 20

TO: Hastings, MN

FROM	LOW CAP			HIGH CAP			ROUTE
	1 CAR	25 CARS	50 CARS	1 CAR	25 CARS	50 CARS	
SASKATCHEWAN							
Alameda	\$4,432	\$4,282	\$4,107	\$4,876	\$4,726	\$4,551	1
Antelope	\$4,873	\$4,723	\$4,548	\$5,361	\$5,211	\$5,036	1
Assiniboia	\$4,885	\$4,735	\$4,560	\$5,373	\$5,223	\$5,048	1
Balgonie	\$4,601	\$4,451	\$4,276	\$5,061	\$4,911	\$4,736	1
Brass	\$5,336	\$5,186	\$5,011	\$5,870	\$5,720	\$5,545	1
Carnduff	\$4,432	\$4,282	\$4,107	\$4,876	\$4,726	\$4,551	1
Chaplin	\$4,794	\$4,644	\$4,469	\$5,274	\$5,124	\$4,949	1
Cheviot	\$5,029	\$4,879	\$4,704	\$5,532	\$5,382	\$5,207	1
Claydon	\$6,012	\$5,862	\$5,687	\$6,613	\$6,463	\$6,288	1
CMI Siding	\$4,759	\$4,609	\$4,434	\$5,235	\$5,085	\$4,910	1
Congress	\$4,895	\$4,745	\$4,569	\$5,373	\$5,223	\$5,048	1
Consul	\$5,617	\$5,467	\$5,292	\$6,179	\$6,029	\$5,854	1
Corinne	\$4,581	\$4,431	\$4,256	\$5,039	\$4,889	\$4,714	1
Coronach	\$5,009	\$4,859	\$4,684	\$5,510	\$5,360	\$5,185	1
Cupar	\$4,763	\$4,613	\$4,438	\$5,240	\$5,090	\$4,915	1
Estevan	\$4,444	\$4,294	\$4,119	\$4,888	\$4,738	\$4,563	1
Fox Lake	\$4,601	\$4,451	\$4,276	\$5,061	\$4,911	\$4,736	1
Gardiner Dam	\$4,794	\$4,644	\$4,469	\$5,274	\$5,124	\$4,949	1
Golden Prairie	\$5,176	\$5,026	\$4,851	\$5,694	\$5,543	\$5,368	69
Greffield	\$4,432	\$4,282	\$4,107	\$4,876	\$4,726	\$4,551	1
Full Lake	\$4,873	\$4,723	\$4,548	\$5,361	\$5,211	\$5,036	1
Hodgenville	\$4,955	\$4,805	\$4,630	\$5,450	\$5,300	\$5,125	1
Indian Head	\$4,543	\$4,393	\$4,218	\$4,997	\$4,847	\$4,672	1