

37848
SEC

SERVICE DATE – MARCH 23, 2007

SURFACE TRANSPORTATION BOARD

NOTICE

STB Ex Parte No. 558 (Sub-No. 9)

RAILROAD COST OF CAPITAL — 2005

The following court action was instituted, on or about March 13, 2007, in the United States Court of Appeals for the District of Columbia Circuit, seeking judicial review of the Board's decision in the above-titled proceeding:

No. 07-1064

Western Coal Traffic League

v.

Surface Transportation Board and United States of America

Vernon A. Williams
Secretary