

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. NOR 42142

CONSUMERS ENERGY COMPANY

v.

CSX TRANSPORTATION, INC.

Digest:¹ The Board grants a petition jointly submitted by the parties to vacate the rate prescription, dismiss the complaint with prejudice, and discontinue the proceeding.

Decided: February 7, 2019

On January 28, 2019, complainant Consumers Energy Company (Consumers) and defendant CSX Transportation, Inc., submitted a joint petition to vacate the rate prescription in this proceeding,² dismiss Consumers' complaint with prejudice, and discontinue this proceeding. The parties state that they have reached a complete and final commercial settlement of all matters at issue in this proceeding.

The joint petition will be granted.

It is ordered:

1. The parties' joint petition to vacate the rate prescription, dismiss Consumers' complaint with prejudice, and discontinue this proceeding is granted.
2. This decision is effective on its date of service.

By the Board, Board Members Begeman, Fuchs, and Oberman.

¹ The digest constitutes no part of the decision of the Board but has been prepared for the convenience of the reader. It may not be cited to or relied upon as precedent. Policy Statement on Plain Language Digests in Decision, EP 696 (STB served Sept. 2, 2010.)

² See Consumers Energy Co. v. CSX Transp., Inc., NOR 42142 (STB served Jan. 11, 2018) (prescribing rates), modified by Consumers Energy Co. v. CSX Transp., Inc., NOR 42142 (STB served Aug. 2, 2018) (revising rate prescription).