

April 26, 2002

Via Messenger

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of the Secretary

APR 26 2002

Public Record



205264

RE: Docket No. NOR 42071; *Otter Tail Power Company v. The Burlington Northern and Santa Fe Railway Company*; Notice of Errata and Replacement Exhibit

Dear Secretary Williams:

Enclosed please find an original and ten (10) copies of Otter Tail Power Company's Notice of Errata for Exhibit to Verified Statement filed in Support of Complainant's First Motion to Compel Production of Documents for filing in the above-referenced docket.

Also, enclosed is one additional copy of the Notice of Errata for stamp and return. Kindly date-stamp the additional copy for return to this office by messenger.

If you have any questions, please do not hesitate to call. My direct dial number is (202) 263-4107.

Sincerely,

Nicholas J. DiMichael

Jeffrey O. Moreno ✓

Michael H. Higgins

Attorneys for Otter Tail Power Company

Enclosures

205264

BEFORE THE
SURFACE TRANSPORTATION BOARD



OTTER TAIL POWER COMPANY

Complainant,

v.

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY

Defendant.

Docket No. NOR 42071

ENTERED
Office of the Secretary

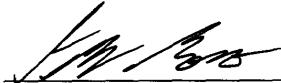
APR 26 2002

Part of
Public Record

**OTTER TAIL POWER COMPANY'S NOTICE OF ERRATA FOR
EXHIBIT TO VERIFIED STATEMENT FILED IN SUPPORT OF COMPLAINANT'S
FIRST MOTION TO COMPEL PRODUCTION OF DOCUMENTS**

Complainant, Otter Tail Power Company ("Otter Tail"), hereby submits this Notice of Errata to the Board, regarding Exhibit (JJP-1) to the Verified Statement of Joseph J. Plaistow, which was attached to and filed in support of Complainant's First Motion to Compel Production of Documents, dated April 11, 2002. Otter Tail's consultants, L.E. Peabody & Associates, Inc., uncovered minor errors to Exhibit (JJP-1), in the course of providing information responsive to a request from Defendant, The Burlington Northern and Santa Fe Railway Company ("BNSF"). Otter Tail hereby submits a corrected Exhibit (JJP-1), attached hereto as Exhibit "A", and respectfully requests that the Board accept such exhibit and replace the defective exhibit with the corrected version.

Respectfully submitted,



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Michael H. Higgins, Esq.
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George Koeck
General Counsel
OTTER TAIL POWER COMPANY
215 South Cascade Street
P.O. Box 496
Fergus Falls, MN 56538-0496

Attorneys for Complainant

April 26, 2002

Exhibit A

DEPRECIATION AND RETURN - WTU VS SYSTEM AVERAGE

<u>Item</u> (1)	<u>Source</u> (2)	<u>BNSF 1994</u> <u>Amount</u> (3)
<u>1. Traffic and Operating</u>		
a. Miles	WTU Decision, p. 19 1/	1,113.2
b. Tons per Car	WTU Decision, p. 76	110.48
c. Tare	WTU Decision, p. 79	21.66
d. Gross ton-miles per Car	$L1a * (1b + 1c * 2)$	171,210.160
<u>2. Depreciation</u>		
a. Road track maint & ownership	D1L234C10 2/	\$0.00027302
b. General Overhead Ratio	D8L608C01 2/	1.10311
c. Road incl GOH	$L2a * 2b$	\$0.00030117
d. GTM's per Car	L1d	171,210.160
e. Road Depr per Car	$L2c * 2d$	\$51.56
f. Index		1.02285
g. Road per car indexed	$L2e * 2f$	\$52.74
h. WTU depreciation per Car	WTU Decision, p. 81	\$39.33
i. WTU percent of System	$L2h + 2g$	74.6%
<u>3. Return</u>		
a. Road track maint & ownership	D1L251C10 2/	\$0.00064762
b. General Overhead Ratio	D8L609C01 2/	1.06934
c. Road incl GOH	$L3a * 3b$	\$0.00069253
d. GTM's per Car	L1d	171,210.160
e. Road Return per Car	$L3c * 3d$	\$118.57
f. WTU Road Return per Car	WTU Decision, p. 81	\$53.93
g. WTU percent of System	$L3f + 3e$	45.5%
h. BNSF system Road & Depreciation	$L2g + 3e$	\$171.31
i. WTU Line Specific Road & Depreciation	$L2h + 3f$	\$93.26
j. Total Variable Costs	WTU Decision, p. 76	\$845.16
k. URCS Linking Factor	STB	0.9934
l. BNSF system Road & Depreciation/Ton	$L3h + 1b * 3k$	\$1.54
m. WTU Line Specific Road & Depreciation/Ton	$L3i + 1b * 3k$	\$0.84
n. Total Variable Costs/Ton	$L3j + 1b * 3k$	\$7.60

1/ Miles from Eagle Butte to Oklaunion.

2/ From BNSF 1994 URCS formula produced by the STB/ICC.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of April, 2002, I served a copy of the foregoing Otter Tail Power Company's NOTICE OF ERRATA FOR EXHIBIT TO VERIFIED STATEMENT FILED IN SUPPORT OF COMPLAINANT'S FIRST MOTION TO COMPEL PRODUCTION OF DOCUMENTS at the following address:

Samuel M. Sipe, Jr., Esq.
Anthony J. LaRocca, Esq.
Cynthia Quarterman, Esq.
Brooke Gaede, Esq.
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Jeffrey O. Moreno, Esq.