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**STEPTOE & JOHNSON LLP**

ATTORNEYS AT LAW

Cynthia L. Quarterman  
202.429.6272  
cquarter@steptoe.com

1330 Connecticut Avenue, NW  
Washington, DC 20036-1795

Telephone 202.429.3000  
Facsimile 202.429.3902  
www.steptoel.com

November 4, 2002



**BY HAND**

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

**Re: STB Docket No. 42058, *Arizona Electric Power Cooperative, Inc. v. The Burlington Northern and Santa Fe Railway Company***

Dear Secretary Williams:

This letter is to notify the Board that Defendants, the Burlington Northern and Santa Fe Railway Company and Union Pacific Railroad Company, have reached an agreement with the Pittsburg & Midway Mining Company in which it has agreed to produce certain documents to Defendants in resolution of Defendants' Petition for Subpoena. Therefore, Defendants hereby withdraw their Petition for Subpoena Duces Tecum to the Pittsburg and Midway Coal Mining Company filed with the Board on October 15, 2002.

Sincerely,

  
Cynthia L. Quarterman

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Public Record

cc: James di Zerega  
Christopher Mills  
Michael Rosenthal

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