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DAKOTA GASIFICATION COMPANY

A BASIN ELECTRIC SUBSIDIARY

MAILING ADDRESS:

P.O. BOX 5540
BISMARCK, NORTH DAKOTA 58506-5540
PHONE: 701/221-4400 FAX: 701/221-4450

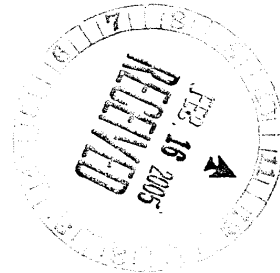
STREET ADDRESS:

1600 EAST INTERSTATE AVENUE
BISMARCK, NORTH DAKOTA 58503-0561



February 15, 2005

The Honorable Vernon Williams
Secretary
Surface Transportation Board
1925 W. Street NW
Washington, DC 20423-0001



FD 34662

Dear Secretary Williams:

Dakota Gasification Company, a producer and shipper of Anhydrous Ammonia, supports the CSX Transportation's (CSXT) action against the City of Washington, DC's HAZMAT Ban.

DGC agrees with the CSXT petition to the Surface Transportation Board to request that an order be issued declaring that an ordinance titled the "Terrorism Prevention in Hazardous Materials Transportation Act of 2005" (the DG ordinance), promulgated by the City Council of the District of Columbia on February 1, 2005, is preempted by Section 10501 of the ICC Termination Act of 1995 (ICCTA) and that, subject to compliance with applicable federal safety and hazardous materials transportation statutes and regulations, CSXT may continue to route cars to which the DC Ordinance applies via its lines through, and in the vicinity of, the District of Columbia.

We sympathize with the concerns of the DC City Council. However, it is the position of DGC that concerns over HAZMAT security and protection of the population of major cities and municipalities should be further investigated and addressed by the Railroads and the proper Federal regulatory bodies, rather than by individual municipalities.

Sincerely,

Alan C. Lukes, Senior Vice-President
and Chief Operating Officer

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