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STEPTOE & JOHNSON LLP  
ATTORNEYS AT LAW

Samuel M. Sipe Jr.  
202.429.6486  
ssipe@steptoe.com

1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
Tel 202.429.3000  
Fax 202.429.3902  
steptoe.com

July 22, 2010

**VIA ELECTRONIC FILING**

Ms. Cynthia Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

JUL 22 2010

Part of  
Public Record

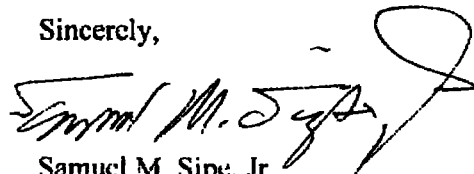
Re: Petition of Arkansas Electric Cooperative Corporation for a Declaratory Order.  
STB Finance Docket 35305

Dear Ms. Brown:

We received this afternoon the Motion of Arkansas Electric Cooperative Corporation ("AECC") to Strike BNSF Railway's Designation of Gregory Fox to Argue, requesting that the Board strike Mr. Fox from the list of speakers at the hearing in the above-captioned matter scheduled for July 29, 2010. There is no legitimate reason for the Board to reverse its decision to allow Mr. Fox to participate in BNSF's presentation. Contrary to AECC's claim, Mr. Fox will not be presenting new evidence at the hearing. Rather, Mr. Fox will be highlighting significant aspects of BNSF's prior evidentiary submissions.

Please address any questions regarding this communication to the undersigned.

Sincerely,



Samuel M. Sipe, Jr.  
Counsel for BNSF Railway Company

cc: Nathaniel Bawcombe, Office of Proceedings  
Parties of Record

## CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of July, 2010, I caused a copy of the foregoing to be served on the following Parties of Record by first class mail, postage prepaid:

Mr. Eric Von Salzen  
McLeod, Watkinson & Miller  
One Massachusetts Avenue, NW, Suite 800  
Washington, DC 20001  
evonsalzen@mwmlaw.com

*Counsel for Arkansas Electric Cooperative Corporation*

Mr. Joe Rebein  
Shook, Hardy & Bacon LLP  
2555 Grand Blvd.  
Kansas City, Missouri 64108-2613  
jrcbein@shb.com

*Counsel for Union Pacific Railroad Company*

Ms. Sandra L. Brown  
Thompson Hinc LLP  
1920 N Street, NW, Suite 800  
Washington, DC 20036  
Sandra.Brown@ThompsonHine.com

*Counsel for Ameren Energy Fuels and Services Company and Texas Municipal Power Agency*

Mr. Kelvin J. Dowd  
Slover & Loftus LLP  
1224 Seventeenth Street, NW  
Washington, DC 20036-3003  
kjd@sloverandloftus.com

*Counsel for Consumers Energy Company*

Mr. John H. LeSeur  
Slover & Loftus LLP  
1224 Seventeenth Street, NW  
Washington, DC 20036-3003  
jhl@sloverandloftus.com

*Counsel for Western Coal Traffic League*

Mr. C. Michael Loftus  
Slover & Loftus LLP  
1224 Seventeenth Street, NW  
Washington, DC 20036-3003  
cml@sloverandloftus.com

*Counsel for Concerned Captive Coal Shippers*

Mr. Michael F. McBride  
Van Ness Feldman, PC  
1050 Thomas Jefferson Street, NW  
Suite 700  
Washington, DC 20007-3877  
mfm@vnf.com

*Counsel for American Public Power  
Association, Edison Electric Institute, and  
National Rural Electric Cooperative  
Association*

Mr. Frank J. Pergolizzi  
Slover & Loftus LLP  
1224 Seventeenth Street, NW  
Washington, DC 20036  
fjp@sloverandloftus.com

*Counsel for Entergy Arkansas, Inc., Entergy  
Gulf States Louisiana, LLC, and Entergy  
Services, Inc.*

Mr. Thomas W. Wilcox  
GKG Law, PC  
Canal Square  
1054 Thirty-First Street, NW, Suite 200  
Washington, DC 20007-4492  
twilcox@gkgllaw.com

*Counsel for National Coal Transportation  
Association and TUCO Inc.*

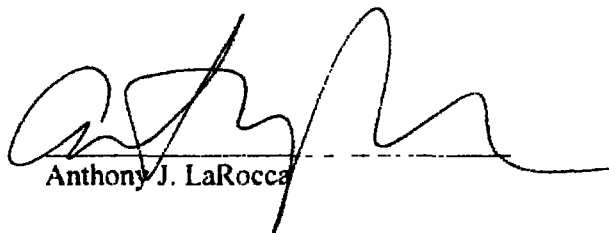
Mr. Paul R. Hitchcock  
Associate General Counsel  
CSX Transportation, Inc.  
500 Water Street, J-150  
Jacksonville, Florida 32202  
Paul\_Hitchcock@CSX.com

Mr. G. Paul Moates  
Sidley Austin LLP  
1501 K Street, NW  
Washington, DC 20005  
pmoates@sidley.com

*Counsel for Norfolk Southern Railway  
Company*

Mr. Paul Samuel Smith  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Room W94-316 C-30  
Washington, DC 20590  
paul.smith@dot.gov

Mr. Charles A. Stedman  
L.E. Peabody & Associates, Inc.  
1501 Duke Street, Suite 200  
Alexandria, Virginia 22314



Anthony J. LaRocca