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SEC

SERVICE DATE – LATE RELEASE SEPTEMBER 27, 2004

SURFACE TRANSPORTATION BOARD

DECISION

No. 41185

ARIZONA PUBLIC SERVICE COMPANY & PACIFICORP

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: September 27, 2004

By decision served on September 9, 2004, the Surface Transportation Board announced that it will hold an oral argument in this proceeding on Wednesday, September 29, 2004, at 10:00 a.m. Pursuant to that decision, the parties provided the names of their speakers. The following speakers are scheduled to address the Board: for the complainants, Arizona Public Service Company and PacifiCorp (Arizona), C. Michael Loftus; and for the defendant, The Burlington Northern and Santa Fe Railway Company (BNSF), Samuel M. Sipe, Jr., and Richard E. Weicher.

The parties in this case will each have 30 minutes of uninterrupted argument time. Arizona will open and may reserve part of its time for rebuttal. BNSF may divide its time between Mr. Sipe and Mr. Weicher. The speakers should be prepared to answer questions from the bench. Board Members will hold their questions until after each party has made its presentation.

As indicated in the September 9 decision scheduling the oral argument, if a party wishes to enhance its argument by using projector-adaptable visual displays and/or handouts, it may do so. Staff will be available to demonstrate the Hearing Room's projection system on September 28, 2004, from 2 p.m. to 4 p.m. Please call (202) 565-1618 to make arrangements.

This action will not affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Time is allocated to the speakers as discussed above.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary