

### **Surface Transportation Board Dismisses "Farmco" Rail Service, Car Availability Complaint after Settlement**

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has granted a shipper request for the Board to dismiss a rate complaint filed by Farmco, Inc. against the Central Kansas Railway and Kansas Southwestern Railway.

Farmco, Inc. had sought damages from the railroads for their alleged failure to deliver hopper cars that were guaranteed to it under grain car allocation procedures set forth in Union Pacific Railroad Company tariffs. Farmco indicated to the Board that it has signed an agreement settling all of the issues raised in its complaint, thus prompting it to request dismissal, with prejudice, of all claims currently pending before the Board.

The resolution of this matter is consistent with the Board's policy of encouraging private-sector dispute resolution whenever possible. The Board is committed to considering matters brought before it in a manner conducive to cooperative and creative private-sector dispute resolution, to the benefit of all involved parties.

The Board issued its decision on August 28, 2001, in the case entitled *Farmco, Inc. v. Central Kansas Railway, L.L.C. and Kansas Southwestern Railway, L.L.C.*, STB Docket No. 42043. A printed copy of the decision is available for a fee by contacting Da-to-Da Legal, Room 405, 1925 K Street, N.W., Washington, DC 20006, telephone (202) 293-7776, or via [http://Da\\_To\\_Da@Hotmail.com](mailto:Da_To_Da@Hotmail.com). The decision also is available for viewing and downloading via the Board's website at <http://www.stb.dot.gov>. [STOP]