

Public & Media Advisory: Surface Transportation Board Provides Time Allocations & Instructions for Public & Media Attendance at March 18 Oral Argument in "Xcel" v. "BNSF" Rail Rate-Complaint Case

Surface Transportation Board Chairman Roger Nober today announced that the agency will hold an oral argument on **March 18, 2004** concerning the railroad rate-complaint case entitled [Public Service Company of Colorado d/b/a Xcel Energy v. The Burlington Northern and Santa Fe Railway Company, STB Docket No. 42057](#). The STB is holding the oral argument to allow the two parties in this case to present their positions and respond to agency questions a public forum.

The STB will hold the **Thursday, March 18** oral argument **beginning at 10:00 a.m. in the agency's Hearing Room on the 7th Floor of the Mercury Building, 1925 K Street, N.W.** (at the intersection of 20th & K Sts.), **Washington, D.C.**

Forthcoming official public notices and STB news releases regarding this hearing will be available on the agency's Web site at <http://www.stb.dot.gov>.

The STB's February 17, 2004 decision in STB Finance Docket No. 42057 announcing the March 18 oral argument is available for viewing and downloading via the agency's Web site at <http://www.stb.dot.gov>. A printed copy of the agency's decision also is available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (301) 577-2600**, or via asapmd@verizon.net. A fact sheet summarizing the case is attached.

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ATTACHMENT

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FACT SHEET

Public Service Company of Colorado d/b/a Xcel Energy v. The Burlington Northern and Santa Fe Railway Company, STB Docket No. 42057

On December 20, 2000, the Public Service Company of Colorado, doing business as Xcel Energy ("Xcel"), filed a complaint challenging the reasonableness of the rates charged by The Burlington Northern and Santa Fe Railway Company ("BNSF") for the transportation of coal from origins in the Powder River Basin of Wyoming to Xcel's Pawnee Steam Electric Generating Station near Brush, Colorado. Xcel has asked the STB to prescribe the maximum reasonable rates that BNSF may charge for this traffic.

In its decision that announced the argument to be held on March 18, the STB provided that Xcel and BNSF each will have 45 minutes of argument time. Xcel will open and reserve part of its time for rebuttal, if it chooses. Both parties must provide the full name and title of its speaker to the STB, together with a written summary (not to exceed three pages in length) of the specific points to be made at the oral argument as soon as possible but no later than **March 8, 2004**.

The STB also reminded parties that the purpose of the oral argument is not to restate written comments already submitted to the agency, but to summarize and emphasize the key points of a party's position, and to provide an opportunity for questions the STB may have regarding matters at issue in this case.

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