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August 15, 2002

VIA HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
Case Control Unit
1925 K Street, N.W.
Washington, D. C. 20423



Re: Docket No. 42059, Northern States Power Company Minnesota
D/B/A Xcel Energy v. Union Pacific Railroad Company

Dear Secretary Williams:

The Board should disregard Defendant Union Pacific Railroad Company's ("UP") August 14, 2002 letter filing with the Board. Complainant Northern States Power Company Minnesota ("NSP") does not "misunderstand" UP's August 2, 2002 letter request for a declaratory ruling. (UP August 14 letter at 1). NSP opposes that request for the reasons set forth in NSP's August 8, 2002 letter reply filing.

Respectfully submitted,

John H. LeSeur

JHL:cef
cc: Michael L. Rosenthal, Esq.

ENTERED
Office of Proceedings

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