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VIA HAND DELIVERY

May 6, 2005

2/3941



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

**Re: STB Docket No. 42057, Public Service of Colorado d/b/a Xcel Energy v.
BNSF Railway Company**

Dear Secretary Williams:

I certify that BNSF Railway Company has established the prescribed rate effective as of May 3, 2005, in accordance with the Board's decision served the same day in this proceeding. A copy of the applicable publication is attached.

Sincerely,

Michael E. Roper

cc: Counsel for Complainant

ENTERED
Office of Proceedings

MAY 6 2005

Part of
Public Record

**THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY
COMMON CARRIER PRICING AUTHORITY BNSF 90043-C**

Effective Date: May 3, 2005

Expiration Date: Effective until superceded or cancelled.

Commodity: Raw sub-bituminous Coal, STCC 11-21-Series (excluding artificially dried or processed coal).

Origins: Wyoming Powder River Basin Mines listed in Attachment A, subject to diversion restrictions identified below.

Destination: Pawnee Steam Generating Station located near Brush, CO.

Route: BNSF Direct.

Rate(s): The rates in the table below are expressed in U.S. Dollars per net ton of coal in shipper supplied steel cars with a minimum average lading per car of 100 tons per car and shipper supplied aluminum cars with a minimum average lading of 116 tons per car.

Applicable Year	Steel Rate (100 tons)	Aluminum Rate (116 tons)
2004	\$ 7.97	\$ 7.74
2005	\$ 8.04	\$ 7.81
2006	\$ 8.10	\$ 7.88
2007	\$ 8.29	\$ 8.05
2008	\$ 8.54	\$ 8.30
2009	\$ 8.69	\$ 8.45
2010	\$ 8.83	\$ 8.59
2011	\$ 9.04	\$ 8.78
2012	\$ 9.27	\$ 9.02
2013	\$ 9.44	\$ 9.17
2014	\$ 9.63	\$ 9.37
2015	\$ 9.46	\$ 9.20
2016	\$ 9.84	\$ 9.54
2017	\$10.10	\$ 9.82
2018	\$10.30	\$10.01
2019	\$10.55	\$10.26
2020	\$10.75	\$10.45

Railcar Supply and Tender Requirements:

Shipper provided railcars shall be suitable for loading not less than 100 net tons of coal per steel carload. Shipper provided railcars shall be suitable for loading not less than 116 net tons of coal per aluminum carload. The minimum tender for a train of shipper railcars is 118 such railcars and a maximum tender of 123 railcars. Claims for damage to or destruction of shipper railcars shall be handled in accordance with the procedures set forth in the field manual and office manual of the Association of American Railroads Interchange Rules, as amended from time-to-time. Notwithstanding the foregoing BNSF shall not be liable for loss or damage caused by defects in design, materials, or workmanship of Shipper-supplied equipment or otherwise due events of force Majeure to improper loading or unloading performed by Shipper, its agent, contractor or consignee.

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Trainload and Railcar Weights:

Freight charges will be assessed on the basis of the applicable minimum weight per trainload or the actual weight of coal per trainload whichever is greater. Weights shall be ascertained at origin by shipper, its agent, or the coal mine operator, at no charge to BNSF, and will be provided to BNSF via either electronic data interchange or facsimile upon release of a loaded train. BNSF shall have the right to inspect and certify the origin scales. The minimum weight per trainload is 11,800 net tons of coal for steel cars and 13,688 net tons for aluminum cars.

Loading:

Shipper or its agent shall be responsible for the provision of appropriate loading facilities. All cars in each shipment shall be tendered to BNSF (or its agent or contractor) for loaded movement within four (4) hours of Actual or Constructive placement for loading at origin ("Loading Free Time"). Shipper shall pay a charge per hour or fraction thereof that a train is held in excess of loading free time as published in Tariff BNSF 6041-series.

Unloading:

Shipper or its agent shall be responsible for the provision of appropriate unloading facilities. All cars in each shipment shall be tendered to BNSF (or its agent or contractor) for empty movement within six and one half (6.5) hours of Actual or Constructive Placement for unloading at destination ("Unloading Free Time"). Shipper shall pay a charge per hour or fraction thereof that a train is held in excess of loading free time as published in Tariff BNSF 6041-series.

Accessorial Services:

Coal unit train accessorial services and charges therefor, other than specified in this common carrier authority, shall be as described in BNSF Authority 6041-Series or successors thereto, except that no change in destination shall be permitted.

Billing and Payment:

BNSF will bill each shipment under the terms of the Uniform Straight Bill of Lading. All railcars for each shipment are to be billed on one (1) Bill of Lading. This Common Carrier Authority BNSF 90043-B, correct address and patron code must be shown on the bill of lading to insure accurate billing. Freight charges will be billed by BNSF and paid by shipper within fifteen (15) days of receipt of invoice by wire transfer. In the event that shipper does not make timely payment, or if adverse credit conditions occur, which in BNSF's judgement could affect shipper's ability to meet payment terms, BNSF may require shipper to pay cash in advance of service for all amounts for which shipper is liable under this Common Carrier Authority.

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Other Provisions:

Shipments made under the provisions of this Common Carrier Authority are subject to the Uniform Freight Classification ("STCC") 6000-Series or its successor, applicable tariffs, statutes, federal regulatory rules and regulations, AAR rules, and other accepted practices within the railroad industry as may be amended from time-to-time.

Shipments shall be deemed to be in service to the Origin served by the immediately preceding shipment; provided, however, diversion to any other qualified Origin as set forth in Attachment A, is authorized without additional charge to Shipper, in the event reasonable notice (by telephone or otherwise) is given to BNSF operating personnel prior to departure of empty trains from Shipper's Pawnee facility of intention to divert the empty train to a specifically identified alternate Origin.

The rates set out in this Common Carrier Authority are subject to the June 18, 2004 agreement between Public Service Company of Colorado d/b/a Xcel Energy and The Burlington Northern and Santa Fe Railway Company.

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**Attachment A
(BNSF 90043-B)**

Wyoming Powder River Basin Coal Origins

COAL MINE	BNSF ORIGIN
Antelope	Converse Jct.
Belle Ayr	Belle Ayr Jct.
Black Thunder	Thunder Jct.
Buckskin	Buckskin Jct.
Caballo	Caballo Jct.
Caballo Rojo	Rojo Jct.
Cordero	Cordero Jct.
Dry Fork	Dry Fork Jct.
Eagle Butte	Eagle Jct.
Jacobs Ranch	Jacobs Jct.
North Antelope / Rochelle	Nacco Jct.
North Rochelle	Rochelle
Rawhide	Rawhide Jct.