



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

BUTTE, ANACONDA & PACIFIC
RAILWAY D/B/A RARUS
RAILWAY CO.

Operating/Non-Operating
Employees

37 NMB No. 23

CASE NO. R-7233
(File No. CR-6970)

DISMISSAL-
WITHDRAWN DURING
INVESTIGATION

January 26, 2010

The services of the National Mediation Board (Board) were invoked by the International Brotherhood of Electrical Workers (IBEW) on December 7, 2009, to investigate and determine who may represent for the purposes of the Railway Labor Act (RLA), as provided by Section 2, Ninth, thereof, personnel described as "Operating/Non-Operating Employees," employees of Butte, Anaconda & Pacific Railway d/b/a Rarus Railway Co. (Carrier).

At the time this application was received, these employees were unrepresented.

The Board assigned Investigator Maria-Kate Dowling to investigate.

Subsequently, IBEW filed a letter with the NMB which stated, "[p]lease consider this . . . notice to the Board withdrawing the IBEW's 'Application for Representation.'"

Therefore, the Board finds no basis upon which to proceed in this matter and the application is hereby dismissed pursuant to Part 1206.4 (b) of the Board's Rules.

By direction of the NATIONAL MEDIATION BOARD.

A handwritten signature in cursive script that reads "Mary L. Johnson".

Mary L. Johnson
General Counsel