



1           Gustafson, Chief Referee.

2           Petitioner moves to withdraw its appeal, which we treat  
3 as a motion to dismiss.           Accordingly, this appeal is  
4 dismissed.

5           Petitioner also requests return of its filing fee and  
6 deposit for cost, since respondent repealed the decision  
7 that was the subject of the appeal.   Petitioner represents  
8 that respondent does not object to this motion.   Since the  
9 record was not filed in this appeal, the Board will return  
10 petitioner's deposit for costs.   However, the filing fee is  
11 non-refundable.