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300247

January 7, 2020

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January 7, 2019
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Via E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: *Texas Railway Exchange LLC – Construction and Operation Exemption – Galveston County, TX*, STB Docket No. FD 36186;
Texas Railway Exchange LLC – Petition for Issuance of a Crossing Order Pursuant to 49 U.S.C. § 10901(d), STB Docket No. FD 36186 (Sub No. 1)

Dear Ms. Brown:

Petitioner Texas Railway Exchange LLC (“TREX”) respectfully requests that the Surface Transportation Board (“STB” or “Board”) issue final decisions in the above-captioned proceedings as soon as possible, and by no later than January 31, 2020.

Through its petitions, TREX seeks to provide a direct rail connection between the BNSF Railway Company’s (“BNSF”) Valley Yard and the Texas International Terminals Ltd. (“TIT”) in Galveston, Texas. Environmental review of the project was completed in May, 2019, and the Union Pacific Railroad Company (“UP”) has consented to the issuance of the crossing order. Also, while the parties did discuss possible routing alternatives, those discussions concluded several months ago and UP did not object to TREX’s status report filed November 7, 2019 requesting that the Board expeditiously enter an order granting its petitions as proposed.

Presently, TREX is on track to complete construction of its track during the second quarter of 2020, but this will be delayed if a decision by the Board is not issued promptly. Also, TIT has proceeded to enter into new business arrangements with customers for the receipt of commodities on the expectation of these deadlines being met, as evidenced in the enclosed letter from Valero. TREX has in place a project manager and engineering group that is ready to proceed with the project promptly as soon as the Board grants the necessary authority.

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Accordingly, TREX respectfully requests that the Board expeditiously enter orders granting its petitions as soon as possible, and by no later than January 31, 2020 to enable TREX to meet project deadlines and ensure TIT's customers obtain competitive rail access under expected timelines.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Peter Pfohl". The signature is fluid and cursive, with the first name "Peter" and last name "Pfohl" clearly distinguishable.

Peter A. Pfohl

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Attorneys for Texas Railway Exchange LLC

01/07/2020

The Honorable Ann D. Begeman, Chairman
The Honorable Patrick J. Fuchs, Vice Chairman
The Honorable Martin J. Oberman, Board Member
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: Docket Nos. FD 36186 and FD 36186 (Sub No. 1)

Dear Chairman Begeman and Board Members Fuchs and Oberman:

Valero Marketing and Supply Company ("VMSC") respectfully requests that the Surface Transportation Board expeditiously approve the petition for an exemption and crossing by Texas Railway Exchange LLC ("TREX") in the above-captioned proceedings as soon as possible, and by no later than January 31, 2020.

On November 5, 2018, VMSC filed a letter of support of TREX's proposed track construction, which will provide more efficient, predictable, and competitive rail service to the Texas International Terminals ("TXIT") via the BNSF Railway Company ("BNSF"). VMSC has been closely monitoring these proceedings as it has a continuing interest and need for the timely construction of TREX's proposed line.

We understand that TREX is ready and willing to move forward with construction, but it requires prompt Board authority to stay on schedule and complete construction by the second quarter of 2020. Any delays could result in serious business uncertainty and disruptions for VMSC, and require us to consider other business options, which we very much hope to avoid.

Therefore, VMSC respectfully requests that TREX's proposed track construction and crossing be promptly approved as soon as possible, and by no later than January 31, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Harrison", written over the word "Sincerely,".

Michael Harrison
Vice President
Valero Marketing and Supply Company

CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of January, 2020, caused a copy of the foregoing letter to be served by U.S. Mail, postage prepaid or by more expedited means upon all parties of record.

/s/

Katherine F. Waring

*An Attorney for
Texas Railway Exchange LLC*