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December 28, 2020

301394

VIA E-FILING

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

ENTERED
Office of Proceedings
December 28, 2020
Part of Public Record

Re: Finance Docket No. 32760 (Sub-No. 46)
BNSF Railway Company – Terminal Trackage Rights – The Kansas City
Southern Railway Company And Union Pacific Railroad Company

Dear Ms. Brown:

On December 18, 2020, BNSF Railway Company (“BNSF”) filed BNSF’s Petition to Establish Conditions of Use (“BNSF’s Petition”) in the above-captioned proceeding. Pursuant to the Board’s rules set forth at 49 CFR § 1104.13, replies to BNSF’s Petition are due within 20 days after the pleading is filed with the Board unless otherwise provided. Under the rules, the due date for replies is January 7, 2020 (the 20th day).

Given the Christmas and New Year’s holidays and the fact that certain key personnel are not available, counsel for The Kansas City Southern Railway Company (“KCSR”) requested BNSF’s, Union Pacific Railroad Company’s (“UP”), and CITGO Petroleum Corporation’s (“CITGO”)¹ consent for a voluntary 10-day extension of the reply deadline. Counsel for BNSF, UP, and CITGO have consented to such an extension. Accordingly, KCSR respectfully requests that the Board exercise its authority to grant extensions for good cause and grant this unopposed

¹ LyondellBasell (“Lyondell”) is listed by the Board as a party of record in this proceeding. However, Lyondell’s position is that it is not a party to this proceeding and should not be treated as an official party of record. There is no need to resolve that issue in the context of this extension request. Nonetheless, KCSR did reach out to counsel for Lyondell and Lyondell does not object to the requested extension.

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Petition for Extension of Time. If granted, the new deadline to reply to BNSF's Petition will be January 17, 2020, which falls on a Sunday. Therefore, all filings will be due on January 18, 2020.

Sincerely,

/s/ William A. Mullins

William A. Mullins

cc: Parties of Record