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ENTERED
Office of Proceedings
November 25, 2022
Part of
Public Record

November 25, 2022

By E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423

Re: STB Docket NOR 42173, *Omaha Public Power District v. Union
Pacific Railroad Company*

Dear Ms. Brown:

This letter responds to the Decision served in this case on November 18, 2022, in which the Surface Transportation Board denied the appeal of Union Pacific Railroad Company (“UP”) of the decision issued by the Director of the Office of Proceedings served on October 3, 2022 directing UP to respond to several discovery requests from complainant Omaha Public Power District (“OPPD”). In addition to denying UP’s appeal, the Board directed the parties to meet and confer by November 25, 2022 “to resolve the parameters of complying with the October 3 Decision and to report back to the Board by that date any agreed-upon production deadlines.”

Counsel for OPPD and UP conferred by video conference on November 21, 2022 and reached a general agreement and understanding on the production to be made by UP in compliance with the October 3 Decision. The parties further agreed that the production of documents and information by both parties will adhere to the applicable deadlines established in the procedural schedule for this case, and any further modifications thereto.

Please do not hesitate to call me if you have any questions.

Sincerely,

Thomas W. Wilcox
Counsel for Omaha Public Power District

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of November 2022, I served a copy of the foregoing letter by electronic mail upon the following counsel for Union Pacific Railroad Company:

Michael Rosenthal
Covington Burling
mrosenthal@cov.com

/ss/ Thomas W. Wilcox
