

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

306832

NAVAJO TRANSITIONAL ENERGY COMPANY, LLC,	)	ENTERED
	)	Office of Proceedings
	)	July 14, 2023
Applicant-Petitioner,	)	Part of
	)	Public Record
v.	)	Docket No. NOR 42178
	)	
BNSF RAILWAY COMPANY,	)	
	)	
Defendant.	)	
	)	

**NAVAJO TRANSITIONAL ENERGY COMPANY, LLC’S
THIRD STATUS REPORT**

Pursuant to the Board’s June 23, 2023 Decision and Order (“Decision”), Navajo Transitional Energy Company, LLC (“NTEC”) hereby submits the following report:

1. There have not been any meaningful changes to the rail service status that NTEC identified in its prior status reports. Through July 13, 2023, BNSF had originated eight Spring Creek export trains for NTEC so far during the month of July.
2. Given the BNSF service levels currently available to NTEC, it remains the case that additional trainsets do not appear to be needed. Accordingly, while NTEC will continue to monitor the market for additional trainsets it has not pursued any commitments for additional trainsets given these service levels.

Respectfully submitted,

NAVAJO TRANSITIONAL ENERGY
COMPANY, LLC

By: /s/ Daniel M. Jaffe
Daniel M. Jaffe
Frank J. Pergolizzi
Andrew B. Kolesar III
SLOVER & LOFTUS LLP
1224 Seventeenth St., N.W.
Washington, D.C. 20036
(202) 347-7170

July 14, 2023

Attorneys for Applicant-Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I have this 14th day of July 2023, caused copies of the foregoing to be served via email on all counsel of record.

/s/ Andrew B. Kolesar III
Andrew B. Kolesar III
An Attorney for Applicant-Petitioner