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NAVAJO TRANSITIONAL	)	
ENERGY COMPANY, LLC,	)	
	)	
Applicant-Petitioner,	)	
	)	
v.	)	Docket No. NOR 42178
	)	
BNSF RAILWAY COMPANY,	)	
	)	
Defendant.	)	
	)	

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

1. As noted previously, NTEC experienced an equipment breakdown on July 16, 2023 that led to an interruption in railcar loadings at Spring Creek. NTEC restored its loading capability at Spring Creek on July 22, 2023.
2. BNSF has originated 17 Spring Creek export trains for NTEC so far during the month of July.
3. 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
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July 28, 2023

Attorneys for Applicant-Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I have this 28th 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