

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

NAVAJO TRANSITIONAL ENERGY COMPANY, LLC,	)	306989
	)	
Applicant-Petitioner,	)	ENTERED
	)	Office of Proceedings
v.	)	August 18, 2023
	)	Docket No. NOR 42178 Part of
BNSF RAILWAY COMPANY,	)	Public Record
	)	
Defendant.	)	
	)	

**NAVAJO TRANSITIONAL ENERGY COMPANY, LLC’S
EIGHTH 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. Through Thursday, August 17th, BNSF had originated eighteen (18) Spring Creek export trains for NTEC so far during the month of August. In addition, the total volume of Spring Creek coal that BNSF has originated for NTEC on a common-carrier basis (through August 17, 2023) has been 2,357,318 short tons, *i.e.*, a total of 153 trains.

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
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August 18, 2023

Attorneys for Applicant-Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I have this 18th day of August 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