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August 25, 2023

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

**RE: Docket No. NOR 42178, Navajo Transitional Energy Company, LLC – Ex Parte Petition for
Emergency Service Order**

Dear Ms. Brown,

BNSF respectfully submits the attached data for the week ending August 23, 2023 in accordance with the Board's June 23, 2023 decision in the above-referenced proceeding.

BNSF provides the following information to the Board related to BNSF's service.

Reporting Period

As indicated in previous reports, BNSF defines a week as running from each Thursday to Wednesday of the following week. For this report, the backward-looking data includes traffic moving between Thursday, August 17, 2023, and Wednesday, August 23, 2023 and the forward-looking data includes traffic expected to move between Thursday, August 24, 2023, and Wednesday, August 30, 2023.

Factors Impacting Capacity and Cycle Times

NTEC contracts with a third party to move trains delivered by BNSF through the loading process at Spring Creek Mine before the loaded train is handed back off to BNSF. On August 12, 2023 and August 13, 2023, NTEC's third party contractor was short on available crews and was unable to shuttle trains into and out of the mine at a rate that would allow traffic to remain fluid with the loading plan for the mine. NTEC's inability to load trains as planned caused BNSF to stop and stage empty export coal trains headed to Spring Creek Mine for loading, which as discussed in previous reports can impact BNSF's available crew base in the days following these types of backups.

To avoid gridlock, BNSF made its crews available to move trains through the loading process in order keep loading operation at the mine fluid. BNSF monitored the situation throughout the weekend to ensure the mine traffic remained fluid as NTEC's contractor's available crew base returned to typical levels. Once the immediate situation resolved, BNSF and NTEC's contractor developed a plan that can be implemented as needed in the future to ensure Spring Creek mine is able to maintain an efficient

loading schedule in the event NTEC's contractor experiences any unforeseen crew challenges again. BNSF estimates that its actions allowed the mine to load at least two trains that it otherwise would have been unable to load due to contractor crew shortages.

Additionally, BNSF has experienced delays moving trains into Westshore in recent weeks. Due to Canadian wildfires, Canadian carriers were unable to move trains out of Westshore, taking up three of six train slots until the Canadian trains were able to move. Westshore also had a berth outage from August 12th through August 18th, leaving one berth available to load vessels and remove tonnage out of Westshore's stockpile area. This created additional unloading delays for BNSF export trains. Changes or deviations from slot plans caused BNSF to stage multiple trains to short of their destination. As of August 21, 2023, the delays at Westshore resulted BNSF staging twelve (12) of its thirty (30) trainsets in export coal service while waiting to be unloaded at Westshore. This drives capacity consumption and additional crew resources that further decrease the number of trains BNSF can deliver to Westshore.

As BNSF explained in its July 28, 2023 report, crews sitting on staged trains uses up the time that those crews are allowed to work under applicable Hours of Service regulations. Once a crew has exceeded its hours of service, it can no longer deliver trains into Westshore. BNSF must then call in a relief crew, which, in turn, makes that crew unavailable to operate subsequent trains into Westshore. Relief crews and extra crew starts reduce overall crew availability and impact BNSF's ability to move traffic for all commodities and customers moving through the Everett terminal. [REDACTED]

Last week BNSF projected six (6) NTEC export coal trains leaving Spring Creek Mine between August 17, 2023 and August 23, 2023; BNSF's actual traffic level for this period was five (5) NTEC export coal trains. BNSF projected moving twenty-nine (29) export coal trains from Spring Creek Mine in August, up from twenty-three (23) in July. BNSF has moved twenty-one (21) trains between August 1, 2023 and August 23, 2023 and is on pace to move the projected twenty-nine (29) trains in August.

Efforts to Hire Additional Crews

As previously reported, BNSF continues to aggressively seek to add new employees in the Pacific Northwest and to incentivize relocation of employees from other parts of its network. BNSF has five (5) employees temporarily relocated to Everett, Washington. At the time of this report, BNSF anticipates that an additional four (4) engineers will graduate from Engineer Training in September 2023. BNSF addressed new Canadian hours of service restrictions in its bi-weekly updates on crews. BNSF continues to review and adjust our hiring plan to ensure we have sufficient available crews to move traffic into Canada.

Efforts to Acquire Additional Trainsets

BNSF continues to monitor the number of trainsets in service to Westshore Terminal and evaluate whether the acquisition of new trainsets is necessary given service levels to NTEC and BNSF's other export customers and demand profiles. While newly acquired trainsets have not been added to BNSF's coal service, NTEC's average daily trainset usage for export coal has increased over the last several months through the addition of existing BNSF trainsets to the export coal lane.

BNSF also continues to monitor the price of export coal and its impact on market demand for coal moving to Westshore Terminals for export. BNSF remains in close communication with our export customers in light of the changing export market conditions to understand forward looking demand and ensure BNSF has the resources required to meet that demand.

Sincerely,

A handwritten signature in blue ink that reads "Jill Rugema". The signature is written in a cursive, flowing style.

Jill Rugema
General Attorney

Attachment

CERTIFICATE OF SERVICE

I certify that on August 25, 2023, I served copies of this document upon all parties of record in this proceeding.



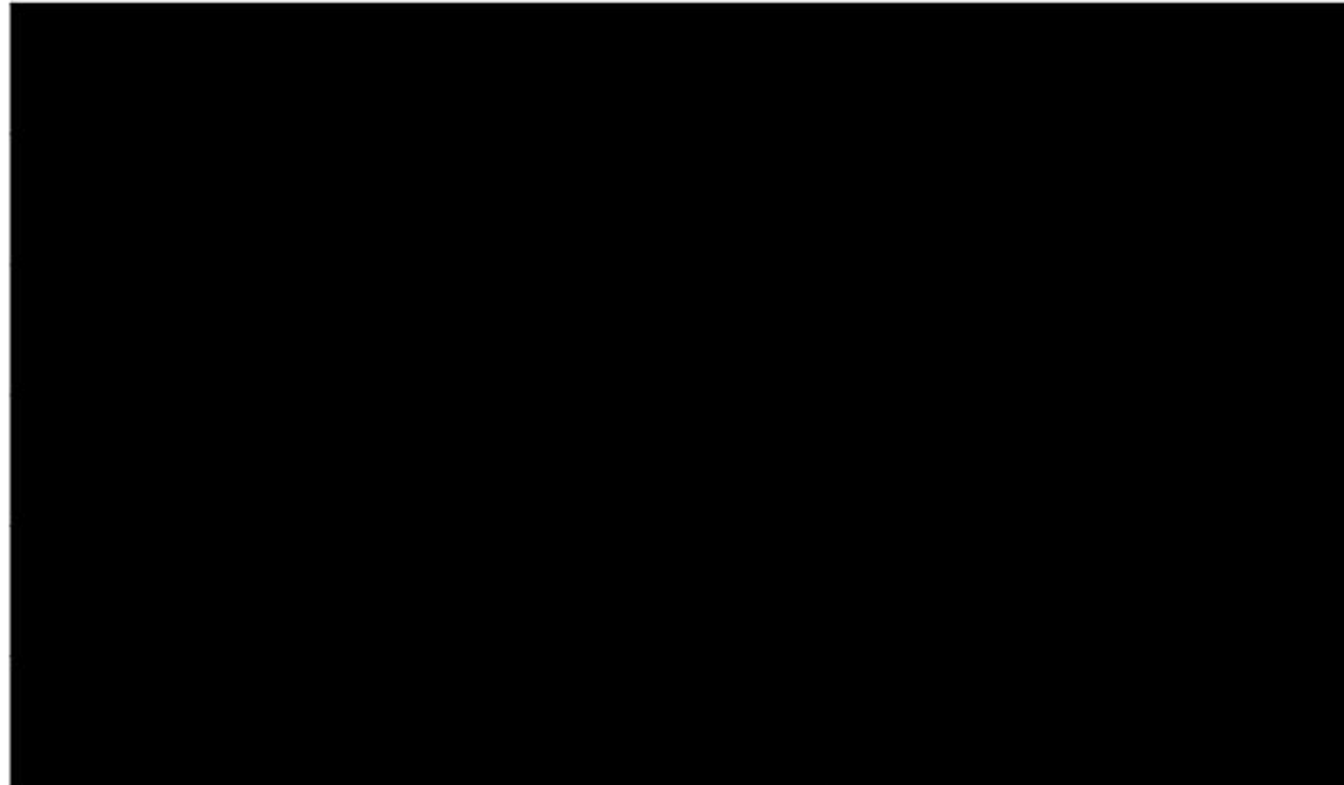
Jill Rugema



REDACTED - TO BE PLACED ON PUBLIC FILE

NTEC *Ex Parte* Pet. For Emergency Svc. Order (NOR 42178)

Reporting Period: 8/17/2023 through 8/23/2023



REDACTED - TO BE PLACED ON PUBLIC FILE

NTEC Trains from Spring Creek Mine to Westshore Terminals August 17, 2023 through August 23, 2023						
STCC_NUMBER	ORIGIN	DESTINATION	SHPR_633	WB_DT	TRAIN_ID	TONS

REDACTED - TO BE PLACED ON PUBLIC FILE

NTEC Trains from Spring Creek Mine to Westshore Terminals August 17, 2023 through August 23, 2023						
STCC_NUMBER	ORIGIN	DESTINATION	SHPR_633	WB_DT	TRAIN_ID	TONS

REDACTED - TO BE PLACED ON PUBLIC FILE

Non-NTEC Export Coal Traffic Moving to Westshore August 17, 2023 through August 23, 2023						
STCC_NUMBER	ORIGIN	DESTINATION	SHPR_633*	WB_DT	TRAIN_ID	TONS

REDACTED - TO BE PLACED ON PUBLIC FILE

Daily Trainsets Deployed from Spring Creek Mine August 17, 2023 through August 23, 2023				
Date	# of Trainsets Deployed			

REDACTED - TO BE PLACED ON PUBLIC FILE

Everett, WA Available TY&E Crews

TY&E Available Crews

Change from Prior Period

