

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

	)	307134
NAVAJO TRANSITIONAL	)	
ENERGY COMPANY, LLC,	)	ENTERED
	)	Office of Proceedings
Applicant-Petitioner,	)	September 15, 2023
	)	Part of
v.	)	Public Record
	)	Docket No. NOR 42178
BNSF RAILWAY COMPANY,	)	
	)	
Defendant.	)	

**NAVAJO TRANSITIONAL ENERGY COMPANY, LLC’S
TWELFTH 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, September 14, 2023, BNSF has originated a total of eleven (11) Spring Creek export trains for NTEC so far during the month of September. The total, year-to-date volume of Spring Creek coal that BNSF has originated for NTEC on a common-carrier basis (through September 14, 2023) has been 2,700,035 short tons, *i.e.*, a total of 175 trains.

2. Given the recent increase in the service level that BNSF has provided and/or has stated that it will be able to provide with its own resources, additional trainsets from third parties do not presently appear to be needed.

Respectfully submitted,

NAVAJO TRANSITIONAL ENERGY
COMPANY, LLC

By: /s/ Daniel M. Jaffe
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September 15, 2023

Attorneys for Applicant-Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of September 2023, caused copies of the foregoing to be served via email on all parties of record.

/s/ Andrew B. Kolesar III

Andrew B. Kolesar III

An Attorney for Applicant-Petitioner