

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

307236

NAVAJO TRANSITIONAL ENERGY COMPANY, LLC,	)	ENTERED Office of Proceedings September 29, 2023 Part of Public Record
Applicant-Petitioner,	)	
v.	)	Docket No. NOR 42178
BNSF RAILWAY COMPANY,	)	
Defendant.	)	

**NAVAJO TRANSITIONAL ENERGY COMPANY, LLC’S
FOURTEENTH 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 28, 2023, BNSF has originated a total of twenty-four (24) 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 28, 2023) has been 2,895,916 short tons, *i.e.*, a total of 188 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
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

September 29, 2023

Attorneys for Applicant-Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I have this 29th 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