

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

ENTERED  
Office of Proceedings  
October 6, 2023

|                       |   |                      |
|-----------------------|---|----------------------|
|                       | ) |                      |
| NAVAJO TRANSITIONAL   | ) | Part of              |
| ENERGY COMPANY, LLC,  | ) | Public Record        |
|                       | ) |                      |
| Applicant-Petitioner, | ) |                      |
|                       | ) |                      |
| v.                    | ) | Docket No. NOR 42178 |
|                       | ) |                      |
| BNSF RAILWAY COMPANY, | ) |                      |
|                       | ) |                      |
| Defendant.            | ) |                      |
|                       | ) |                      |

**NAVAJO TRANSITIONAL ENERGY COMPANY, LLC’S  
FIFTEENTH 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. BNSF originated a total of twenty-six (26) Spring Creek export trains for NTEC during September. Through Thursday, October 5, 2023, BNSF has originated a total of four (4) Spring Creek export trains for NTEC so far during the month of October. The total, year-to-date volume of Spring Creek coal that BNSF has originated for NTEC on a common-carrier basis (through October 5, 2023) has been 2,986,299 short tons, *i.e.*, a total of 194 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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October 6, 2023

*Attorneys for Applicant-Petitioner*

## **CERTIFICATE OF SERVICE**

I hereby certify that I have this 6th day of October 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