

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**NAVAJO TRANSITIONAL ENERGY
COMPANY, LLC**

Applicant-Petitioner

v.

BNSF RAILWAY COMPANY,

Defendant

Docket No. NOR 42178

JOINT MOTION TO HOLD PROCEEDING IN ABEYANCE

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Dated: November 9, 2023



GRANTED

Office of
Proceedings

DECISION ID NO.: 51951
DECIDED DATE: 11/9/2023
SERVED DATE: 11/9/2023
APPROVED: *Madair*

Director



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SURFACE TRANSPORTATION BOARD**

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	)	
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COMPANY, LLC	)	
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Applicant-Petitioner	)	
	)	
v.	)	Docket No. NOR 42178
	)	
BNSF RAILWAY COMPANY,	)	
	)	
Defendant	)	
	)	

JOINT MOTION TO HOLD PROCEEDING IN ABEYANCE

Applicant-Petitioner Navajo Transitional Energy Company, LLC (“NTEC”) and Defendant BNSF Railway Company (“BNSF”) hereby jointly move the Board to hold the above-captioned proceeding in abeyance until January 8, 2024.

NTEC and BNSF have recently reached a settlement agreement to resolve this matter. The parties expect that the settlement will be concluded by January 8, 2024. Consequently, the parties request that the Board temporarily hold this proceeding in abeyance pending the conclusion of the parties’ settlement process.

Respectfully submitted,

/s/ Daniel M. Jaffe

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CERTIFICATE OF SERVICE

I hereby certify that I have this 9th day of November 2023, caused copies of the foregoing to be served via email on all parties of record.

/s/ Daniel M. Jaffe

Daniel M. Jaffe

An Attorney for Applicant-Petitioner