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Proceedings

DECISION ID NO.: 51952
DECIDED DATE: 11/14/2023
SERVED DATE: 11/14/2023
APPROVED: *MacNeil*

Director

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 22218

ATCHISON, TOPEKA & SANTA FE RAILWAY COMPANY
—OPERATING RIGHTS—
SOUTHERN PACIFIC TRANSPORTATION CO.

JOINT MOTION TO EXTEND MEDIATION PERIOD

BNSF Railway Company (“BNSF”) and Union Pacific Railroad Company (“UP”) (collectively, the “Parties”) hereby jointly request that the Surface Transportation Board (“STB” or “Board”) issue an order extending the mediation period in this proceeding to November 27, 2023.

Under the Board’s rules, mediation may be extended “for additional periods of time not to exceed 30 days per period, pursuant to mutual written requests of all parties to the mediation proceeding.” 49 C.F.R. § 1109.3(b). On May 15, 2023, the Board ordered the Parties to engage in 30 days of Board-sponsored mediation following the close of the discovery period. *See Atchison, T. & S.F. Ry.—Operating Rts.—S. Pac. Transp. Co.*, FD 22218, slip op. at 4 (STB served May 15, 2023). Over the last month, the parties have held two mediation sessions and a number of conferences with the mediators. The parties believe that a brief extension of the mediation period could be productive. Therefore, the parties respectfully request that the Board extend the current mediation period to November 27, 2023.

Respectfully submitted,

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Dated: November 13, 2023

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of November, 2023, I have caused the foregoing Joint Motion to Extend the Mediation Period to be served electronically or by first-class mail, postage pre-paid, on all parties of record in this proceeding.

/s/ Onika K. Williams

Onika K. Williams

Attorney for BNSF Railway Company