

Before the
SURFACE TRANSPORTATION BOARD

Finance Docket No. 32760 (Sub-No. 46)

BNSF RAILWAY COMPANY
—TERMINAL TRACKAGE RIGHTS—
KANSAS CITY SOUTHERN RAILWAY COMPANY AND
UNION PACIFIC RAILROAD COMPANY

APPLICATION FOR TERMINAL TRACKAGE RIGHTS

BNSF's Request for Extension of Time

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Dated: August 3, 2026

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BNSF Railway Company ("BNSF") respectfully requests, pursuant to 49 C.F.R. § 1115.3(e), that the Board extend by ten days – from August 10 to August 20 – the deadline for filing a petition for reconsideration of the Board's *Decision No. 16* served in this proceeding on July 21, 2026.

To be clear, BNSF does not currently intend to ask the Board to reconsider *Decision No. 16*. BNSF seeks this limited procedural relief only because BNSF has requested the Board's workpapers as provided in the decision and will need a reasonable extension of time to receive and review the workpapers. In *Decision No. 16*, the Board stated that its "calculations are contained in workpapers that will be made available to the parties upon request, subject to the necessary protective orders." *BNSF Ry.—Terminal Trackage Rts.—Kan. City S. Ry. (Decision No. 16)*, FD 32760, slip op. at 51 (STB served July 21, 2026). BNSF understands that the Board is in the process of providing those workpapers to BNSF; however, to date, the requested materials have not yet been provided and the August 10 reconsideration

deadline may expire before BNSF has a reasonable opportunity to review them.¹

The additional ten days will allow BNSF to review and confirm the Board's calculations.

The Board has previously recognized that review of technical issues and underlying calculations in complex cases such as this may warrant postponement of reconsideration deadlines. *See, e.g., E.I. du Pont de Nemours & Co. v. Norfolk S. Ry.*, NOR 42125, slip op. at 1 (STB served Apr. 11, 2014) (tolling the deadline for petitions for reconsideration while technical issues were being addressed); *Pub. Serv. Co. of Colo. d/b/a Xcel Energy v. Burlington N. & Santa Fe Ry.*, 7 S.T.B. 1029 (2004) (recognizing the importance of procedures permitting parties to identify and bring technical and computational issues to the Board's attention).

Therefore, BNSF respectfully requests that the Board extend the deadline for filing a petition for reconsideration by ten days – from August 10 to August 20 – pursuant to 49 C.F.R. § 1115.3(e).

¹ BNSF respectfully requests waiver of the requirement in 49 C.F.R. § 1104.7(b) that petitions for extension of time be filed within not less than 10 days before the due date. Good cause exists to waive that requirement here. BNSF requested the STB's workpapers on July 29 and understands the Board is working on providing the same. BNSF only files this request now because it may not have sufficient time to review the workpapers in advance of the August 10 deadline.

Dated: August 3, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing to be served electronically or by first-class mail, postage pre-paid, on all parties of record in this proceeding.

/s/ Tara Woods

Tara Woods

Counsel for BNSF Railway Company

August 3, 2026