

311975

*Surface Transportation Board
Washington, D.C. 20423-0001
Office of Economics*

ENTERED
Office of Chief Counsel
August 24, 2026
Part of
Public Record

July 30, 2026

Re: Waybill Request WB26-23 FD32760 sub. 46

I have approved the addition of the following individual to the waybill access letter in WB26-23.

a) Courtney B. Estes – Solo Practitioner

Prior payment of processing and mailing cost of **\$72** (\$72 per signature) is required and received.

Sincerely,

MARTIN
SCHLENKER

Digitally signed by
MARTIN SCHLENKER
Date: 2026.07.30
13:49:46 -04'00'

Martin Schlenker
Acting Director
Office of Economics

I have read and understand the conditions for release of the CCWS data. I agree to comply fully with these conditions and the provisions of this confidentiality agreement. No later than thirty days before the agreement expires, I will request an extension of this agreement, if necessary. If no extension is requested, I will return or destroy all CCWS data and certify that I have done so. I have the authority to sign this agreement.

By: Courtney B. Estes

/s/ Courtney B. Estes

Signature

1330 Connecticut Avenue, NW
Washington, DC 20036-1795
202 429 3000 main
www.steptoelaw.com

July 29, 2026

VIA E-MAIL

Director Francis O'Connor
Acting Director, Office of Economics
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423
waybill@stb.gov

Re: **Request for Waybill Data Access (WB26-23), Finance Docket No. 32760 (Sub-No. 46) BNSF Railway Company – Terminal Trackage Rights – Kansas City Southern Railway Company and Union Pacific Railroad Company**

Dear Director O'Connor:

On May 20, 2026, we submitted a request, on behalf of BNSF Railway Company ("BNSF"), that BNSF's outside counsel and consultants in the above-referenced proceeding be granted continued access to the Confidential Carload Waybill Sample data ("CCWS").¹ The request was authorized on June 2, 2026 and posted in the Board's docket on June 24, 2026.

Pursuant to 49 C.F.R. § 1244.9(b)(4), we respectfully request that the following additional outside counsel for BNSF in the above-referenced proceeding, who is not a regular employee of BNSF, be granted permission to access the confidential CCWS (including all records, all fields, and confidential unmasked revenues) for the waybill data renewed in WB26-23, for this proceeding:

1. Courtney B. Estes, Solo Practitioner

We ask that you please confirm that the required fee for this request is \$72.00 per 49 C.F.R. § 1002.2(f)(98)(i) and that the fee type number is WB26-23. Once we receive confirmation from your office of the amount owed for this request and the fee type number, we will submit payment through pay.gov.

¹ Specifically, we requested that our access to data granted pursuant to WB15-45 and WB20-45 be extended. WB15-45 granted access to the 1994-2013 unmasked costed waybill samples for UP, SP, BNSF, ATSF, and KCSR for all terminations and originations in Lake Charles (1995 BEA #86). WB20-45 granted access to the 2014-2019 unmasked costed waybill samples for all traffic pertaining to UP, KCSR, and BNSF. Access was also granted to a limited subset of 2017-2019 data for the entire waybill sample as shown in Attachment A of our May 20, 2026 renewal request and the 1996-2016 unmasked costed waybill samples for all terminations and originations in Lake Charles (1995 BEA #86). Access for WB15-45 and WB20-45 was renewed in WB21-60 and was later extended in WB22-48, WB23-41, WB24-34, WB25-37, and WB26-13.

Director Francis O'Connor

July 29, 2026

Page 2

Please contact me with any questions.

Respectfully submitted,

/s/ Peter W. Denton

Peter W. Denton

Attorney for BNSF Railway Company