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Public Record

BNSF-68

Hon. Jenifer J. Soulikias
Administrative Law Judge
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: STB Docket No. FD 36873 – Status of BNSF's Discovery Responses

Dear Judge Soulikias:

Consistent with Decision No. 39, BNSF writes to provide an update regarding its responses to discovery requests in this proceeding.

To date, BNSF has received 34 discovery requests from Applicants. BNSF continues to confer with Applicants regarding the scope of materials responsive to those requests, including what is necessary and appropriate in light of BNSF's role as a non-applicant in this proceeding.

BNSF has made seven rolling productions and will continue to make rolling productions until BNSF's productions are complete. On top of the 2019-2025 traffic tape and waybill data BNSF exchanged with Applicants last fall, BNSF has produced nearly 50,000 pages of document discovery and 590 GB of data to date. Scheduling depositions of BNSF witnesses is also ongoing.

The chart below summarizes the material BNSF has produced to date:

BNSF Vol.	Date	Description of BNSF Production	Pages / Data Size
1	Aug. 5, 2026	• Train Event Data for 2019-2025 containing event dates and times, locations and states, event/event-status codes, train operating information, direction, train identifiers/symbols, scheduled departure information, and other attributes associated	572 GB

BNSF Vol.	Date	Description of BNSF Production	Pages / Data Size
		with train movements across the BNSF network. • Intermodal/Container Event Data for 2019-2025 including equipment/container and chassis identifiers; attached railcar information where applicable; event date, time, and event code; station/location and state; loaded/empty status; TOFC/COFC indicator; train ID, symbol, type, priority, section, and scheduled departure date; and associated waybill and cycle identifiers.	
2	Aug 6, 2026	• Railcar Event Data and Movement Records for 2019-2025, including car initial and number; event date, time, and event type/status; station/location and state; direction; loaded/empty status; associated train symbol, train date, priority, section, and sequence; and waybill identifiers and versions. • Reciprocal Switching Data for 2019-2025, including date and time of switching events; total switch rates for interline switching and rate number used to calculate amount due for a switch; and car and equipment number.	9 GB
3	Oct. 1, 2026	• Correspondence from BNSF to its customers concerning the Proposed Transaction. • Joint facilities and interline agreements.	6,801
4	Oct. 8, 2026	• Joint facilities and interline agreements.	10,915

BNSF Vol.	Date	Description of BNSF Production	Pages / Data Size
5	Oct. 15, 2026	• Joint facilities and interline agreements.	21,198
6	Oct. 22, 2026	• Joint facilities and interline agreements. • Correspondence from BNSF to its customers concerning the Proposed Transaction. • Material related to marketing BNSF services.	10,912
7	Oct. 28, 2026	• 2023 and 2025 Haulage Payment Data.	9 GB

Respectfully,

/s/ McClain Thompson
McClain Thompson

cc: Counsel of Record

CERTIFICATE OF SERVICE

I certify that I caused the foregoing to be served electronically or by first-class mail, postage pre-paid, on the Secretary of Transportation, the Attorney General of the United States, Applicants' representatives, Administrative Law Judge Jenifer Soulikias, and all parties of record in this proceeding.

/s/ Onika Williams
Attorney for BNSF Railway Company
October 29, 2026