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ENTERED
Office of Chief Counsel
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Part of
Public Record

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November 23, 2026

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

BNSF-75

*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. BNSF has made ten 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 that BNSF exchanged with Applicants last fall, BNSF has produced over 84,000 pages of document discovery and 590 GB of data to date. BNSF has also agreed to make five executives available for depositions, and those depositions are being scheduled. BNSF is also working with Applicants to schedule depositions of BNSF's five expert witnesses.

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 with train movements across the BNSF network.<br><br>• 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 | 572 GB |

| BNSF Vol. | Date | Description of BNSF Production | Pages / Data Size |
|---|---|---|---|
| | | 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.<br><br>• 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.<br><br>• Joint facilities and interline agreements. | 6,801 |
| 4 | Oct. 8, 2026 | • Joint facilities and interline agreements. | 10,915 |
| 5 | Oct. 15, 2026 | • Joint facilities and interline agreements. | 21,198 |

| BNSF Vol. | Date | Description of BNSF Production | Pages / Data Size |
|---|---|---|---|
| 6 | Oct. 22, 2026 | • Joint facilities and interline agreements.<br>• Correspondence from BNSF to its customers concerning the Proposed Transaction.<br>• Material related to marketing BNSF services. | 10,912 |
| 7 | Oct. 28, 2026 | • 2023 and 2025 Haulage Payment Data. | 9 GB |
| 8 | Nov. 6, 2026 | • Joint facilities and interline agreements.<br>• Correspondence from BNSF to its customers concerning the Proposed Transaction.<br>• Material related to marketing BNSF services. | 11,208 |
| 9 | Nov. 12, 2026 | • Joint facilities and interline agreements.<br>• Joint facilities meeting minutes and agendas. | 20,295 |
| 10 | Nov. 23, 2026 | • Joint facilities and interline agreements.<br>• Correspondence from BNSF to its customers concerning the Proposed Transaction. | 3,297 |

Respectfully,

*/s/ McClain Thompson*
McClain Thompson

**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
November 23, 2026