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November 24, 2026

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

BNSF-77

*Re: Docket No. FD 36873 – Status of November 25 Conference*

Dear Judge Soulikias:

Last night, UP proposed that Your Honor resolve—on the papers—UP's supplemental motion to compel BNSF's pricing strategies. *See* UP-136/NS-132 at 2. Later today, BNSF will file its opposition to the supplemental motion. BNSF's opposition will show that UP's requests are overbroad, irrelevant, and unprecedented. UP's motion can be denied on the papers, and BNSF does not object to cancelling tomorrow's hearing. (CSX and CPKC report that they have no objection to cancelling the hearing, either.) If Your Honor has questions after reviewing the papers next week or decides that argument on any particular issue would aid Your Honor, BNSF is available to attend a special conference at whatever date and time next week is most convenient.

Respectfully,

*/s/ Dan Donovan*
Daniel T. Donovan, P.C.
*Counsel for BNSF Railway Company*

**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 24, 2026