

Defendant Union Pacific Railroad Company served its first set of discovery requests on Arkema on August 3, 2017. Arkema responded to the requests on August 18, 2017. Union Pacific narrowed the temporal scope of certain requests on August 22, 2017, similar to agreements it made with other complainants in this consolidated proceeding. Arkema is currently

collecting and reviewing data and records that may be responsive to Union Pacific's requests. Arkema is also in the final stages of identifying all custodians and the location of their records.

Arkema served its first set of discovery requests on Union Pacific on August 14, 2017. Union Pacific responded to the requests on August 29, 2017.

2. Outstanding Discovery Concerns

Arkema is concerned about the breadth of certain Union Pacific requests, particularly those which Union Pacific has not agreed to narrow as it had with other complainants. Union Pacific has indicated that it would like to understand the burden of responding to such requests before agreeing to narrow them, and Arkema is currently evaluating that burden.

3. Plans to Address Outstanding Discovery

Arkema is collecting and reviewing records on a rolling basis to facilitate responses to Union Pacific discovery requests. At present, Arkema is prioritizing the collection of various tank car movement data that Union Pacific has requested. Arkema also has contacted Union Pacific about addressing certain discovery requests with stipulations and is preparing stipulations for Union Pacific's consideration. To enable production of sensitive information, Arkema and Union Pacific will need to amend the protective order in this proceeding to cover Arkema records.

4. Estimate of Time to Address Concerns

Arkema expects that it will be able to begin producing responsive information to Union Pacific within the next 4-8 weeks. This estimate may change because Arkema and Union Pacific are still in the early stages of the discovery process.

Respectfully submitted,

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Certificate of Service

I certify that, on October 12, 2017, I caused a copy of the foregoing document to be served by e-mail on counsel for all parties of record in this proceeding and on the Honorable John P. Dring of the Federal Energy Regulatory Commission.

/s/ Jason D. Tutrone
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