

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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243951

NORTH AMERICA FREIGHT CAR)
ASSOCIATION; AMERICAN FUEL &)
PETROCHEMICAL MANUFACTURERS;)
THE CHLORINE INSTITUTE; THE)
FERTILIZER INSTITUTE; AMERICAN)
CHEMISTRY COUNCIL; ETHANOL)
PRODUCTS, LLC D/B/A POET ETHANOL)
PRODUCTS; POET NUTRITION, INC.; and)
CARGILL INCORPORATED)
)
)
vs.)
)
UNION PACIFIC RAILROAD)
COMPANY)

NOR 42144, 42150, 42152

ENTERED
Office of Proceedings
July 13, 2017
Part of
Public Record

JOINT WEEKLY STATUS REPORT – JULY 13, 2017

Complainants Valero Marketing and Supply Company and Valero Rail Partners, LLC, Tesoro Refining & Marketing Company LLC, Tesoro Great Plains Gathering & Marketing LLC, and Dakota Prairie Refining, LLC (collectively, “Complainants”), and Defendant Union Pacific Railroad Company (“Union Pacific”) submit this status report on discovery progress as requested by Administrative Law Judge Dring at a status conference on April 19, 2017.

1. Valero Marketing and Supply Company and Valero Rail Partners, LLC proposed to Union Pacific last week a compromise position on pending discovery issues. The parties conferred on this proposal via telephone on Monday, July 10, 2017.

2. Tesoro Refining & Marketing Company LLC, Tesoro Great Plains Gathering & Marketing LLC, and Dakota Prairie Refining, LLC are developing their own proposal for a compromise on pending discovery issues and anticipate providing that proposal to Union Pacific this week or next.

3. The Tesoro entities anticipate making their fourth production to Union Pacific this week, with a rolling production to continue thereafter.

4. On Friday, July 7, 2017, Union Pacific completed its production of documents responsive to Valero's and Tesoro's discovery requests. The Valero and Tesoro entities are reviewing this production for any outstanding issues between the parties.

Respectfully submitted,

/s/ Michael L. Rosenthal (with permission
– JHS)

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Dated July 13, 2017

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Company LLC, Tesoro Great Plains
Gathering & Marketing LLC, and Dakota
Prairie Refining, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2017, I have caused a copy of the foregoing to be served by hand, email, or first-class mail on counsel for the parties of record for NOR 42144, NOR 42150, and NOR 42152. I further certify that I have caused a copy of the foregoing to be served by hand delivery on the Honorable John P. Dring, Federal Energy Regulatory Commission, Office of Administrative Law Judges, 888 First Street, N.E., Washington, DC 20426.

/s/ Houston Shaner _____
Houston Shaner