

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
May 11, 2017
Part of
Public Record

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	)	NOR 42144, 42150, 42152
PRODUCTS; POET NUTRITION, INC.; and	)	
CARGILL INCORPORATED	)	
	)	
vs.	)	
	)	
UNION PACIFIC RAILROAD	)	
COMPANY	)	

JOINT WEEKLY STATUS REPORT – MAY 11, 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 served their responses and objections to Union Pacific’s first set of discovery requests on Monday, May 8, 2017.

2. Valero Marketing and Supply Company and Valero Rail Partners, LLC anticipate beginning a rolling production next week. The parties have not yet had an opportunity to meet and confer regarding the Valero entities’ objections to Union Pacific’s discovery requests.

3. On Wednesday, May 10, 2017, Tesoro Refining & Marketing Company LLC, Tesoro Great Plains Gathering & Marketing LLC, and Dakota Prairie Refining, LLC served their first set of discovery requests on Union Pacific. These requests include one Request for Admission, six Interrogatories, and four Document Requests.

4. The Tesoro entities, which have not served their responses and objections to Union Pacific's first set of discovery requests, continue to work with their counsel on responding to Union Pacific's discovery and moving towards a rolling production.

Respectfully submitted,

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

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Dated May 11, 2017

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Gathering & Marketing LLC, and Dakota
Prairie Refining, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on May 11, 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