



SLOVER & LOFTUS LLP

ATTORNEYS AT LAW

PETER A. PFOHL

248328

248329

ENTERED

Office of Proceedings

August 15, 2019

Part of

Public Record

August 15, 2019

Via E-Filing

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

Re: *Texas Railway Exchange LLC – Construction and Operation Exemption –
Galveston County, TX – Petition for Issuance of a Crossing Order Pursuant to 49
U.S.C. § 10901(d), STB Docket No. FD 36186 (Sub Nos. 0 and 1)*

Dear Ms. Brown:

The Texas Railway Exchange LLC (“TREX”) hereby submits this letter in response to the Board’s decision served on August 5, 2019 requesting a status update on the parties’ discussions regarding a proposed alternative routing over the tracks and property of the Union Pacific Railroad Company (“UP”).

The parties have held discussions over TREX’s proposed routing, crossing, operations, and related matters. As part of these discussions, Texas International Terminals (“TIT”) with TREX has presented to UP the new proposal referenced in the Board’s August 5, 2019 decision. Under this proposal, agreements would need to be negotiated among TIT, UP and BNSF Railway. TREX may or may not need to be involved in those agreements. At this time, the parties are engaged in further discussions.

UP has reviewed this letter and does not object to its content. Contemporaneously with this letter, TREX will be submitting information to the Office of Environmental Analysis regarding its new proposal and its potential environmental impacts.

Respectfully submitted,

Peter A. Pfohl

Robert D. Rosenberg

Katherine F. Waring

SLOVER & LOFTUS LLP

1224 Seventeenth St., N.W.

Washington, D.C. 20036

(202) 347-7170

Attorneys for Texas Railway Exchange LLC

cc: Victoria Rutson

CERTIFICATE OF SERVICE

I hereby certify that I have this 15th day of August, 2019, caused a copy of the foregoing letter to be served by U.S. Mail, postage prepaid or by more expedited means upon all parties of record.

/s/

Katherine F. Waring

*An Attorney for
Texas Railway Exchange LLC*