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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
May 4, 2017
Part of
Public Record

<u>NORTH AMERICA FREIGHT CAR</u>	)	
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	)	
<u>COMPANY</u>	)	

JOINT WEEKLY STATUS REPORT – MAY 4, 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. On May 1, 2017, the Surface Transportation Board granted Complainants’ motion to amend the protective order in NOR 42144 to include the proceedings and parties in the now consolidated cases, NOR 42150 and NOR 42152.

2. Counsel for Complainants and Union Pacific conferred by telephone on May 3, 2017, to discuss discovery issues.

3. The Valero Complainants have served their first set of discovery requests on Union Pacific. These requests include one Request for Admission, six Interrogatories, and five Document Requests.

4. Complainants expect to begin production this month of several categories of information, including tank car fleets, tank car movements, payments information, ownership and maintenance costs, and repair or retrofit information.

Respectfully submitted,

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

Michael L. Rosenthal
Kavita Pillai
Covington & Burling LLP
One CityCenter
850 Tenth Street, N.W.
Washington, D.C. 20001

Rhonda S. Ferguson
Louise A. Rinn
Craig V. Richardson
Danielle E. Bode
Union Pacific Railroad Company
1400 Douglas Street
Omaha, NE 68179

*Attorneys for Union Pacific Railroad
Company*

/s/ Justin A. Savage

Justin A. Savage
Houston Shaner
Hogan Lovells US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, DC 20004

*Attorneys for Valero Marketing and
Supply Company, Valero Rail Partners,
LLC, Tesoro Refining & Marketing
Company LLC, Tesoro Great Plains
Gathering & Marketing LLC, and Dakota
Prairie Refining, LLC*

Dated May 4, 2017

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 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