

SURFACE TRANSPORTATION BOARD

Docket No. FD 32760 (Sub-No. 46)

BNSF RAILWAY COMPANY—TERMINAL TRACKAGE RIGHTS—KANSAS CITY
SOUTHERN RAILWAY COMPANY AND UNION PACIFIC RAILROAD COMPANY

Decided: January 29, 2019

By petition filed on January 12, 2018, BNSF Railway Company (BNSF) has requested that the Board establish conditions of use and compensation for BNSF to directly serve a LyondellBasell facility (Lyondell facility) at West Lake Charles, La., “over the Rosebluff Lead and related tracks via the terminal trackage rights granted by the Board” in BNSF Railway—Terminal Trackage Rights—Kansas City Southern Railway, FD 32760 (Sub-No. 46) (STB served July 5, 2016).¹

In a decision served December 7, 2018 (December 2018 Decision), the Board directed BNSF, UP, and Kansas City Southern Railway Company (KCS) to provide additional information that would assist the Board in establishing compensation for BNSF’s use of the Rosebluff Lead. The Board ordered the parties to provide the requested information by December 27, 2018, and provided parties 20 days, until January 16, 2019, to submit replies to the requested information.

During the partial shutdown of the Federal government from December 22, 2018, through January 25, 2019, all deadlines requiring the submission of material to the Board, including the deadlines in this proceeding, were tolled. The information requested in the December 2018 Decision will be due by February 4, 2019. Replies to the requested information will be due by February 25, 2019.

It is ordered:

1. BNSF, UP, and KCS are directed to provide the information set forth in the Appendix to the December 2018 Decision by February 4, 2019.
2. Replies to the requested information are due by February 25, 2019.

¹ This sub-docketed proceeding arises out of the 1996 merger between the rail carriers controlled by Union Pacific Corporation (Union Pacific Railroad Company and Missouri Pacific Railroad Company) (collectively UP) and the rail carriers controlled by Southern Pacific Rail Corporation (Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company) (collectively SP). Union Pac. Corp.—Control & Merger—S. Pac. Rail Corp., 1 S.T.B. 233, 241 (1996).

3. This decision is effective on the date of service.

By the Board, Allison C. Davis, Acting Director, Office of Proceedings.