

SURFACE TRANSPORTATION BOARD

ORDER OF PRESIDING ADMINISTRATIVE LAW JUDGE SCHEDULING DISCOVERY
STATUS CONFERENCE

Docket No. NOR 42144

NORTH AMERICA FREIGHT CAR ASSOCIATION; AMERICAN FUEL &
PETROCHEMICALS 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 v. UNION PACIFIC RAILROAD COMPANY

Decided: April 5, 2017

On January 26, 2017, Union Pacific Railroad Company (UP) filed a motion with the Board to consolidate three complaint proceedings. Specifically, the complaint filed by North America Freight Car Association, American Fuel & Petrochemicals Manufacturers, The Chlorine Institute, Inc., The Fertilizer Institute, American Chemistry Council, Ethanol Products, LLC d/b/a POET Ethanol Products, POET Nutrition, Inc., and Cargill Incorporated (collectively, NAFCA Complainants); the complaint filed by Valero Marketing and Supply Company and Valero Rail Partners, LLC (collectively, Valero); and, the complaint filed by Tesoro Refining & Marketing Company LLC, Tesoro Great Plains Gathering & Marketing, LLC, and Dakota Prairie Refining, LLC (collectively, Tesoro). On February 15, 2017, NAFCA Complainants, Valero, and Tesoro filed replies in opposition to UP's motion to consolidate the three proceedings. On March 29, 2017, the Board granted UP's motion to consolidate.

By a decision served on February 11, 2016, the Board assigned and authorized Administrative Law Judge John P. Dring of the Federal Energy Regulatory Commission to entertain and rule upon discovery matters and to resolve all disputes concerning discovery in this proceeding. A discovery status conference is hereby scheduled below. Any questions pertaining to this proceeding should be directed to Judge Dring's law clerk, Carlos E. Clemente, who may be contacted at (202) 502-8392 or Carlos.Clemente@ferc.gov.

It is ordered:

1. A discovery status conference is scheduled for Wednesday, April 19, 2017, at 10:00 a.m. in a hearing room to be designated at the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426. This conference will be held on the record.
2. This decision is effective on its service date.

By the Board, John P. Dring, Administrative Law Judge.