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VIA ELECTRONIC FILING

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June 30, 2023

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

ENTERED
Office of Proceedings
June 30, 2023
Part of
Public Record

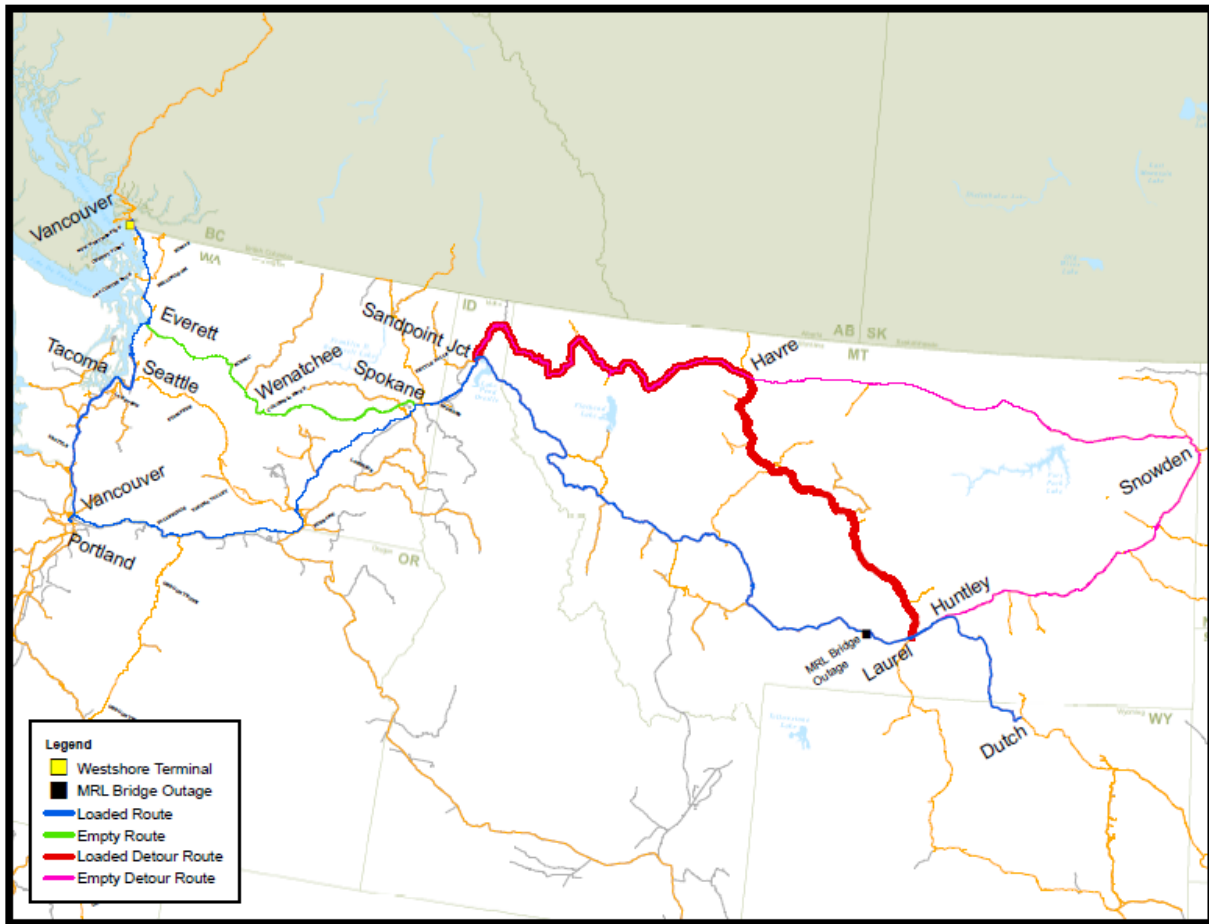
**RE: Docket No. NOR 42178, Navajo Transitional Energy Company, LLC – Ex Parte Petition for
Emergency Service Order**

Dear Ms. Brown,

BNSF respectfully submits the attached data for the week ending June 28, 2023 in accordance with the Board's June 23, 2023 decision in the above-referenced proceeding.
BNSF provides the following information to assist the Board in reviewing the attached data.

MRL Bridge Collapse

As an initial matter, BNSF would like to make the Board aware of an unanticipated event that has impacted BNSF's ability to provide common carrier service to NTEC and other BNSF shippers. On June 24, 2023, a bridge located on the Montana Rail Link ("MRL") near Columbus, Montana collapsed. MRL is BNSF's primary route for coal trains moving to and from the Pacific Northwest. Due to this outage, BNSF has to re-route export coal trains, along with other BNSF traffic moving along on the MRL route (approximately 20 trains per day), via BNSF's Northern Transcon route. BNSF must slot the re-routed traffic in with existing traffic moving on this line, creating congestion. BNSF also is re-routing empty export coal trains sets approximately 500 miles out of route, impacting cycle times and BNSF's ability to provide empty trains to the mines. The map below shows the original route as well as the detour routes for BNSF's export coal traffic.



BNSF previously advised the Board that we projected shipping a total of twenty-two (22) trains for NTEC in June 2023. Due to the MRL bridge outage, BNSF anticipates that it will end the month of June having shipped approximately seventeen (17) trains for NTEC. July volumes may also be impacted until the MRL bridge is back in service. BNSF has communicated this directly to NTEC and will continue to update both the Board and NTEC as this situation evolves.

Reporting Period

The Board’s decision requires BNSF to submit weekly status reports beginning on June 30, 2023 providing data for the previous week as well as data for the next week. For purposes of the reporting this data, BNSF defines a week as running from each Thursday to Wednesday of the following week. For the initial report, the backward-looking data includes traffic moving between Thursday, June 22, 2023, and Wednesday, June 28, 2023 and the forward-looking data includes traffic expected to move between Thursday, June 29, 2023, and Wednesday, July 5, 2023.

Traffic Data

The June 23, 2023 decision requires BNSF to provided data related to several categories of traffic. While the decision refers to “delivered” trains and tons, at least for NTEC’s export coal traffic moving from Spring Creek Mine to Westshore Terminals for the previous week, BNSF understands that the Board is

looking for the most timely, up-to-date data in order to monitor BNSF's service in as close to real time as possible. Based on the way BNSF maintains train traffic data, there is tension between providing the most up-to-date data and providing data on delivered volumes. The timeliest information on coal volumes that BNSF can provide is data on trains shipped from mines rather than on trains delivered to Westshore, which would take a few more days to process. For purposes of this initial report BNSF has provided the most up-to-date data, showing tons shipped during the relevant time period. If the Board would prefer that BNSF provide delivered volume data instead, please let us know.

Expected Service Levels for the Current Week

BNSF has provided expected service levels in terms of number of trains anticipated to be loaded in the current week in the attached summary document.

BNSF also respectfully notes that while it will strive to provide expected service levels for the current week as accurately as possible, BNSF revises train plans throughout the week on a real-time basis to allow the most efficient movement of coal and to maximize train volumes for all export coal customers as new information becomes available (e.g., the scheduled arrival of a vessel at Westshore). As a result of the fluid nature of traffic moving in this lane, BNSF anticipates that there could be some deviation from the provided weekly expected service levels to NTEC – both up and down – over time. BNSF communicates with NTEC regularly to ensure both parties are aligned on upcoming train movements, both through regularly scheduled weekly calls as well as day-to-day discussions between BNSF's and NTEC's operating teams.

Year to Date 2023 Traffic Data

As required by the Board, this initial report includes traffic data for each of the categories going back to January 1, 2023.

Efforts to Hire Additional Crews

As discussed in more detail in its filings in this matter, BNSF continues to aggressively seek to add new employees in the Pacific Northwest through hiring incentives. BNSF also continues to incentivize relocation of employees from other parts of its network. Currently BNSF has five (5) employees temporarily relocated to Everett, Washington. BNSF's short-term transfer process is voluntary and requires BNSF's labor forces from around the network being willing to bid for a temporary relocation position. These employees accept these positions with the understanding that the relocation will be limited in time (3-6 months). As part of the hiring pipeline for long-term Everett crew resources, BNSF anticipates that eight (8) conductors and thirteen (13) engineers will finishing training by the end of July and join the Everett crew base. In late May, new Canadian hours of service regulations went into effect that have more restrictive perimeters on hours of service, accumulative hours, and rest periods than previously regulations imposed. The new Canadian hours of service restrictions directly impact the crew base BNSF needs to move traffic to Westshore Terminals and will require BNSF to adjust our hiring plan to ensure we have sufficient available crews to move traffic into Canada.

Efforts to Acquire Additional Trainsets

The Board also ordered reporting on the availability of trainsets. BNSF continues to monitor the number of trainsets in service to Westshore Terminal and evaluate whether the adding additional trainsets will

improve service levels to NTEC and BNSF's other export customers. Based on current operating conditions – specifically the MRL bridge outage and impacted resource levels – BNSF does not believe that adding trainsets at this time will increase service levels to its export coal customers. BNSF will nonetheless continue our communication with domestic coal shippers and other potential sources for additional trainsets so that as operating conditions improve and can support the addition of trainsets to export service, BNSF will be able to react quickly.

Sincerely,

A handwritten signature in blue ink, reading "Jill Rugema". The signature is written in a cursive, flowing style.

Jill Rugema
General Attorney

Attachement

CERTIFICATE OF SERVICE

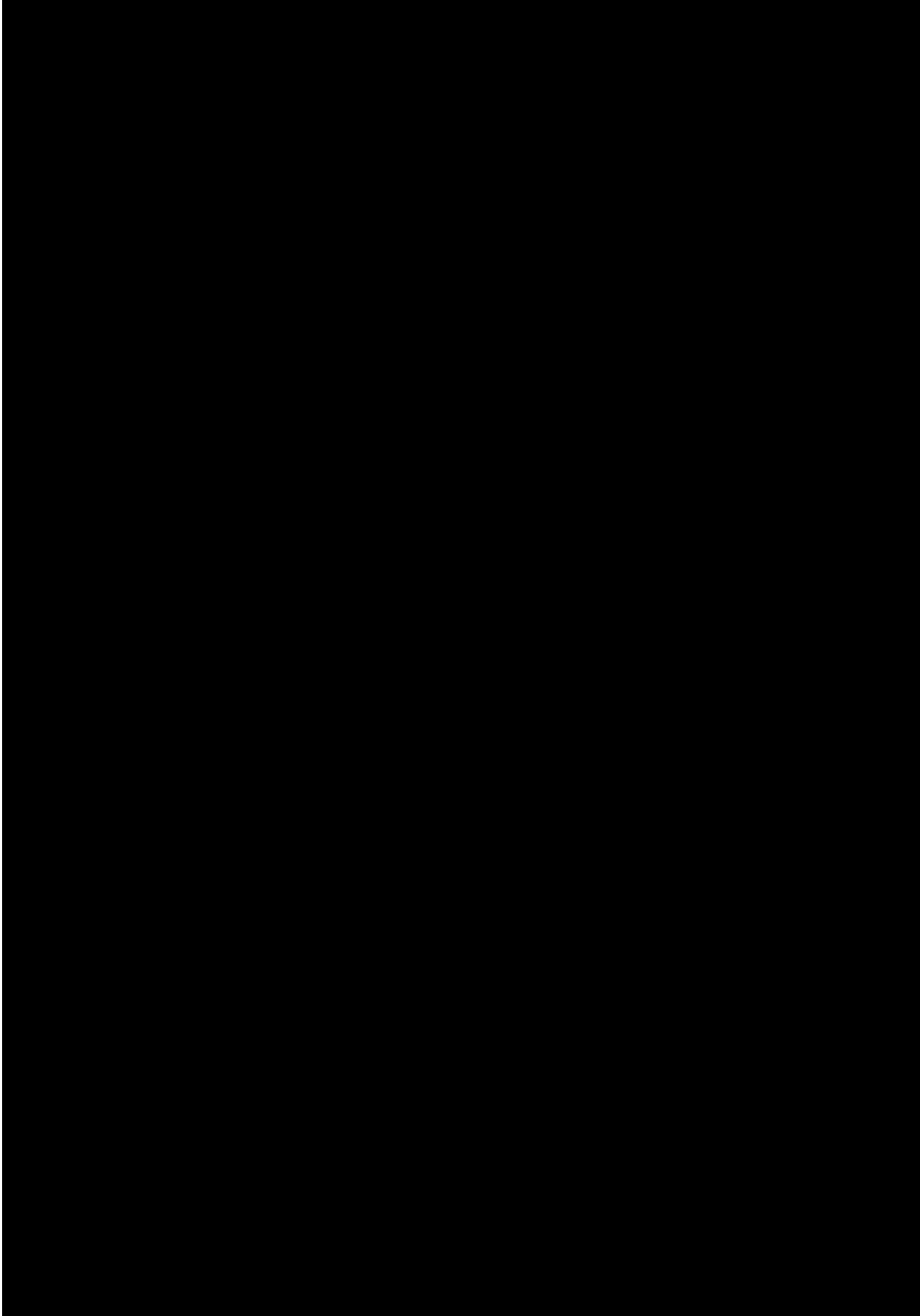
I certify that on June 30, 2023, I served copies of this document upon all parties of record in this proceeding.

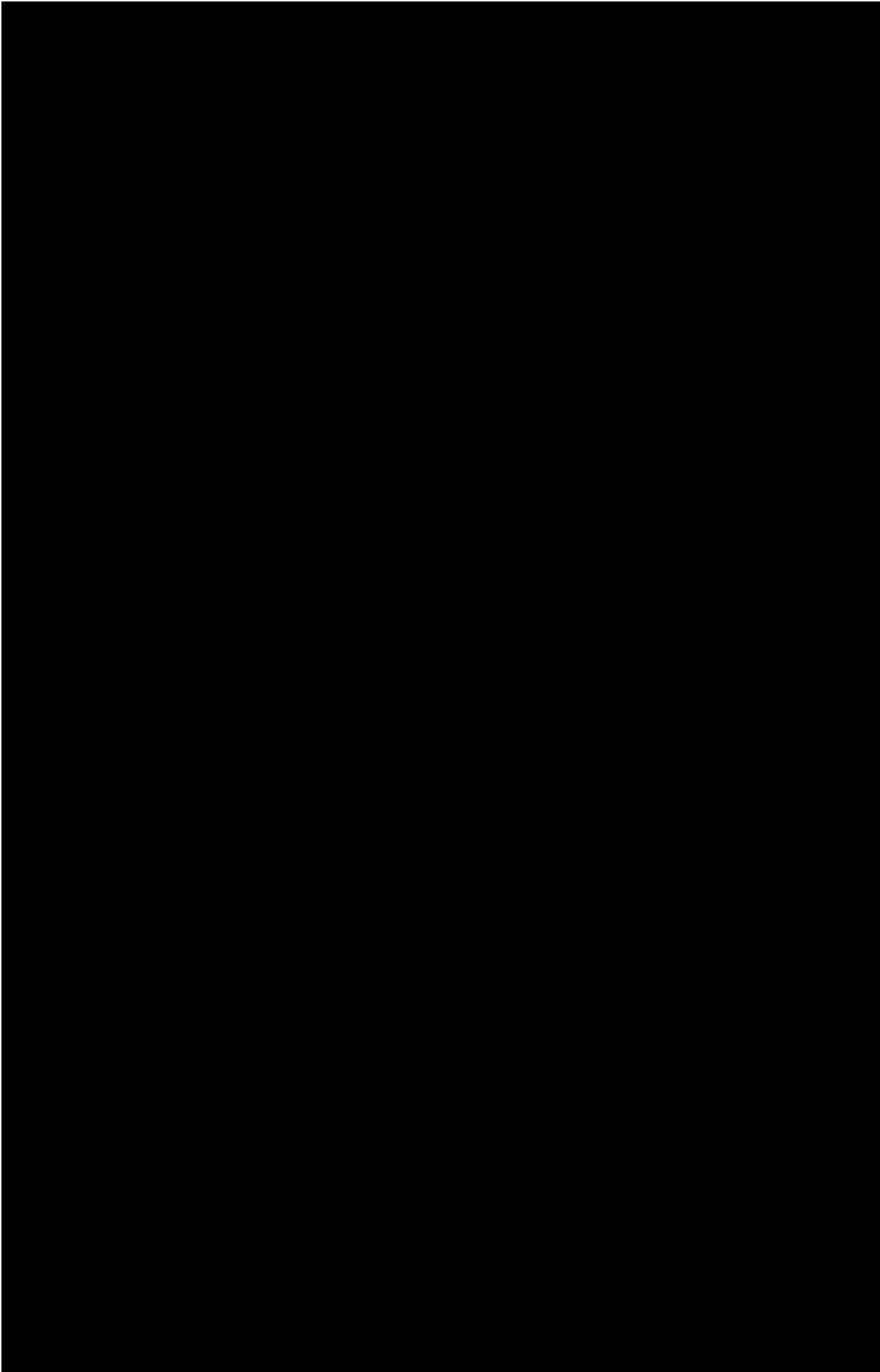


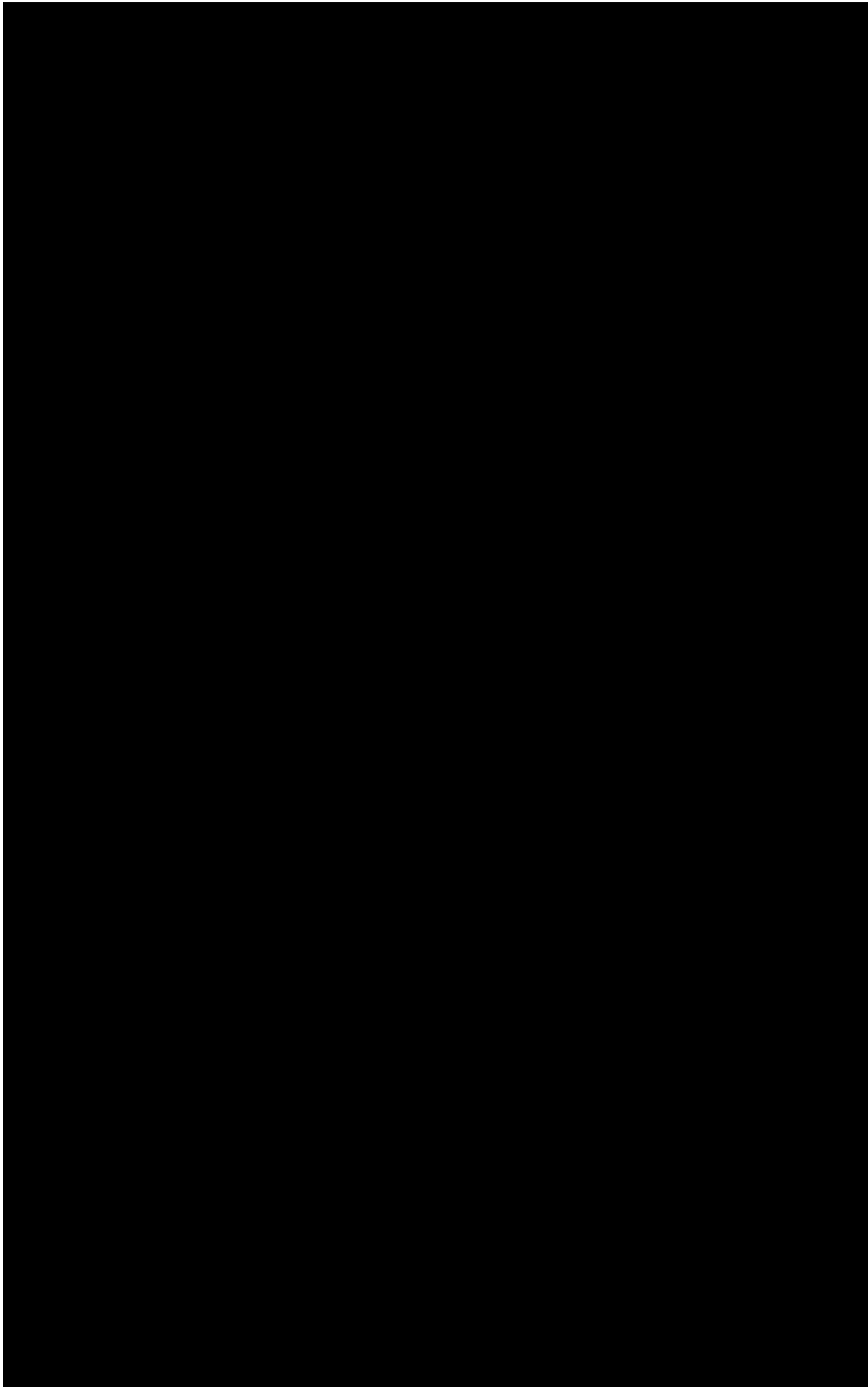
Jill Rugema

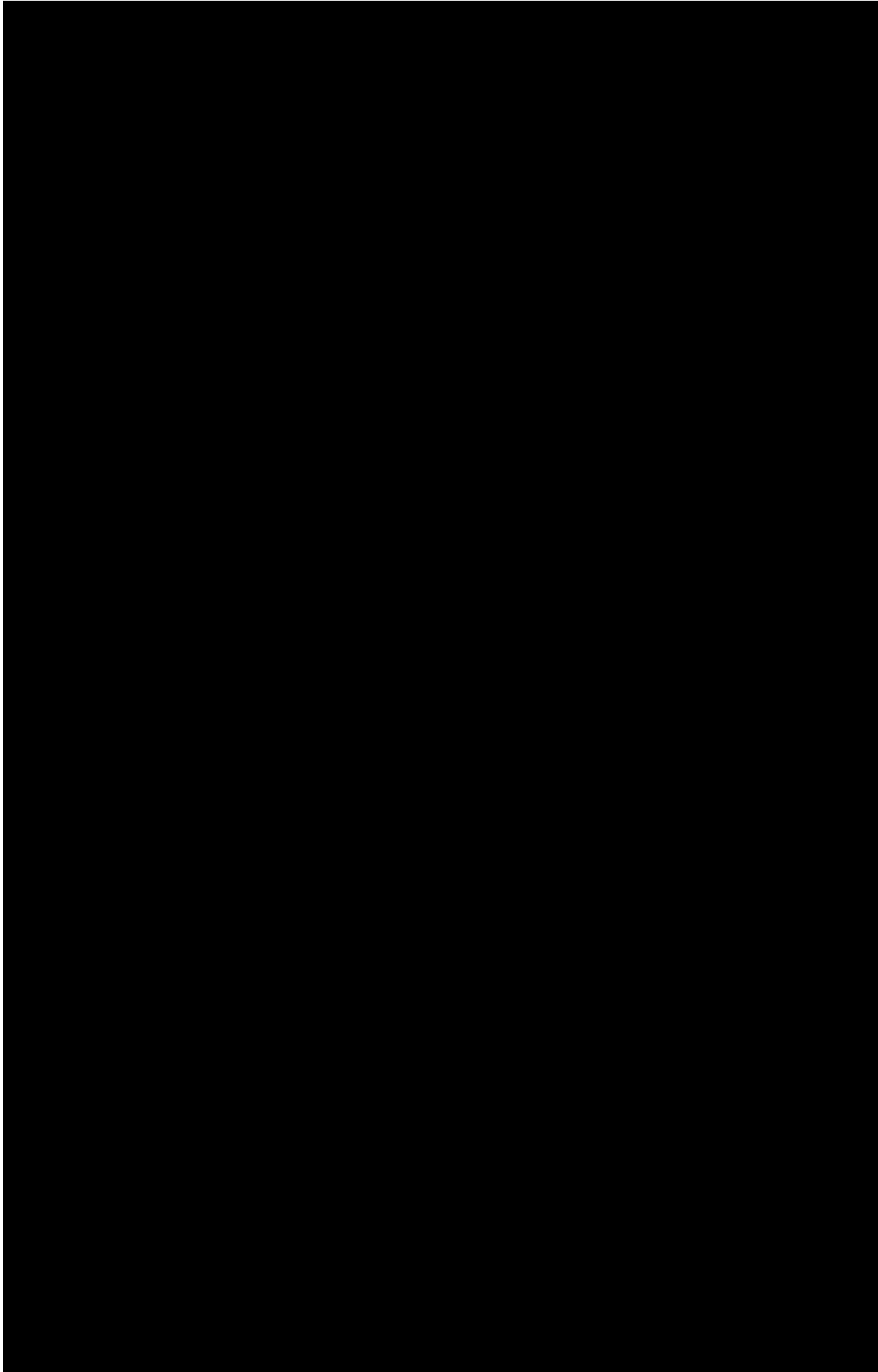
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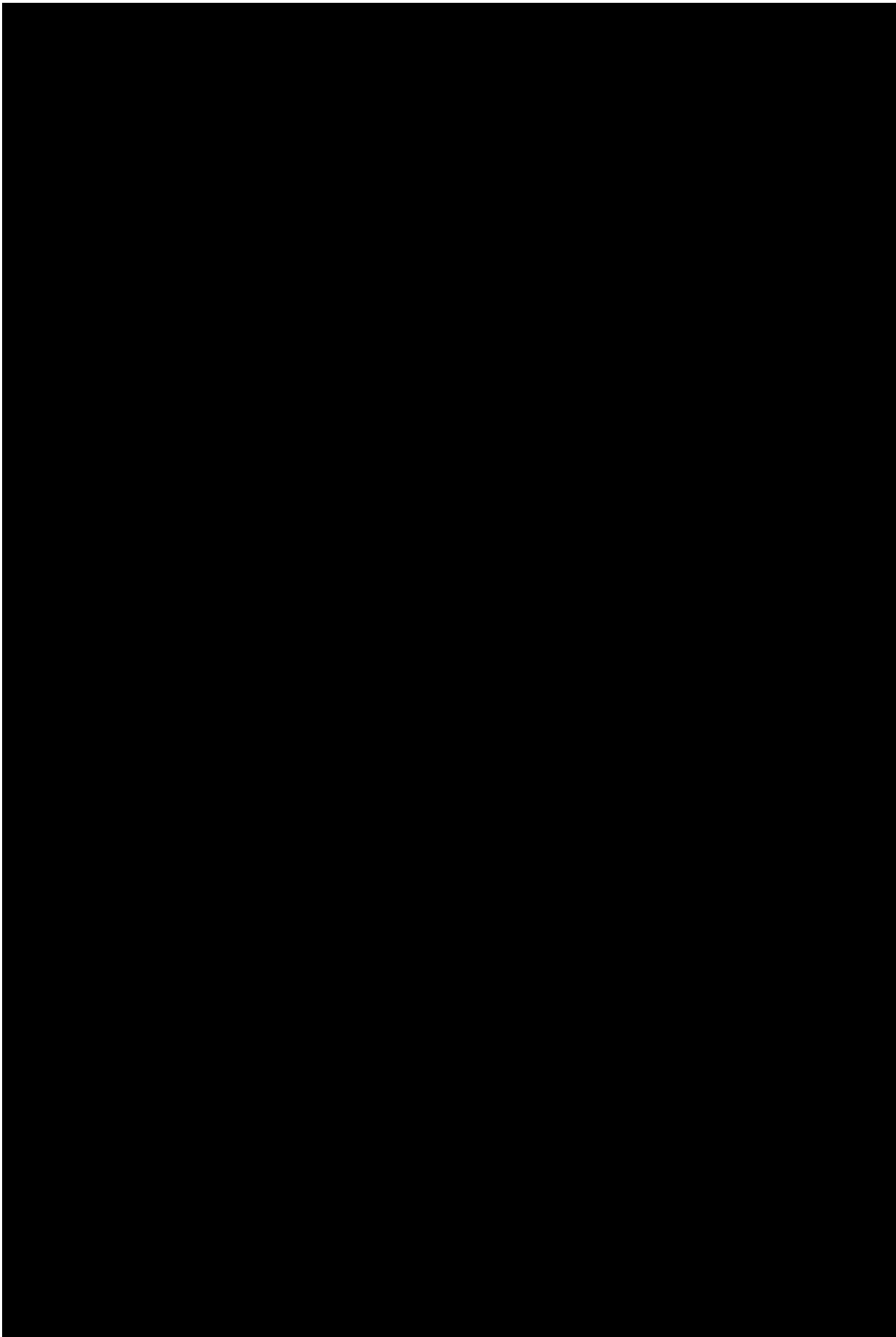
Non-NTEC Export Coal Traffic Moving to Westshore January 1, 2023 through June 28, 2023

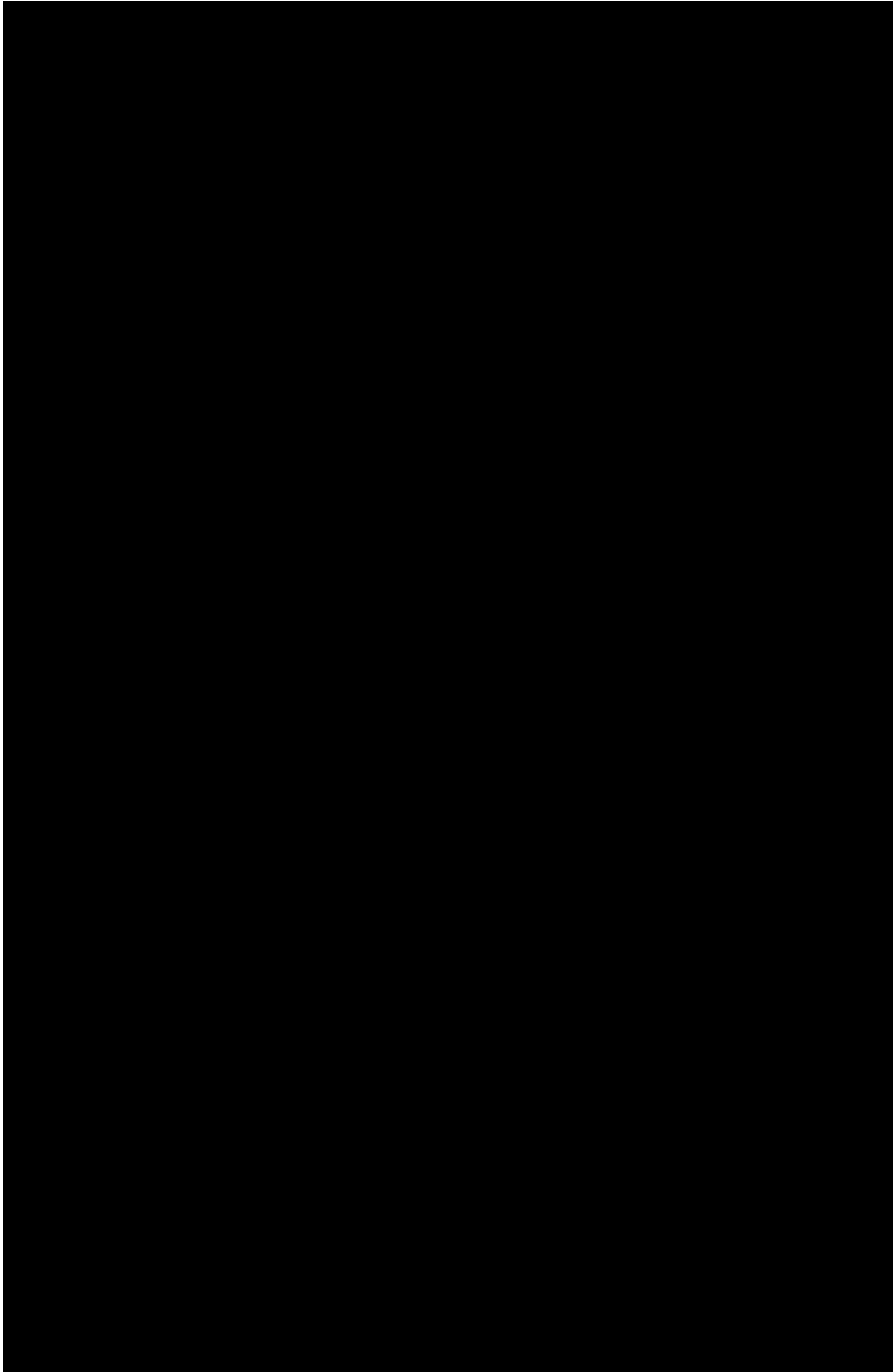






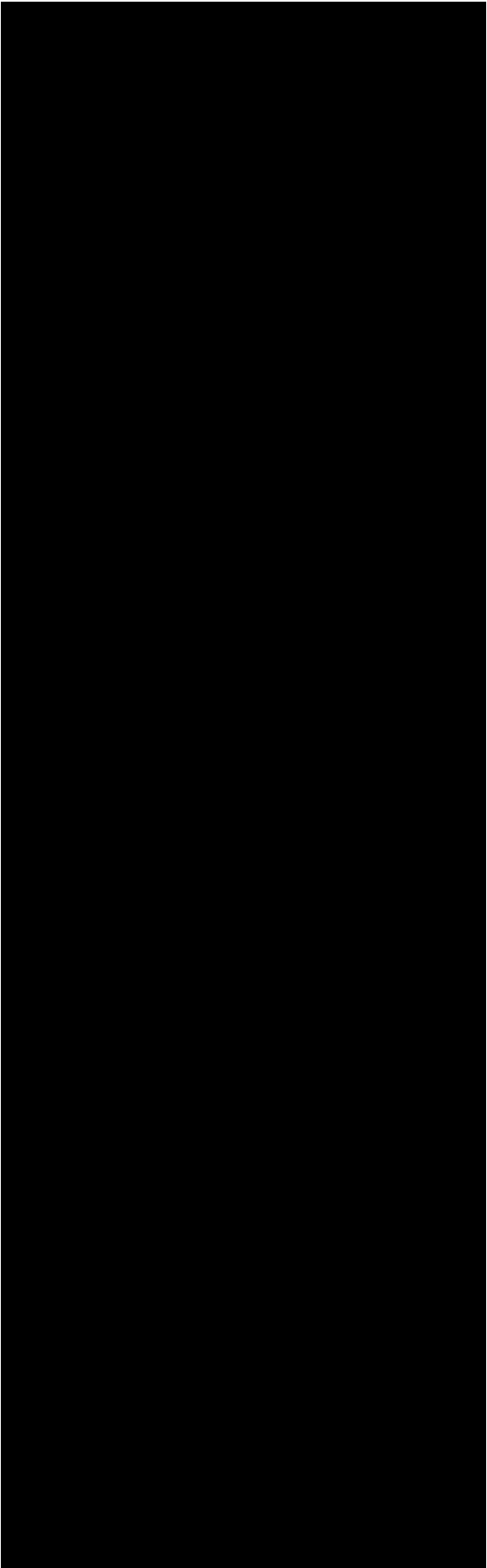


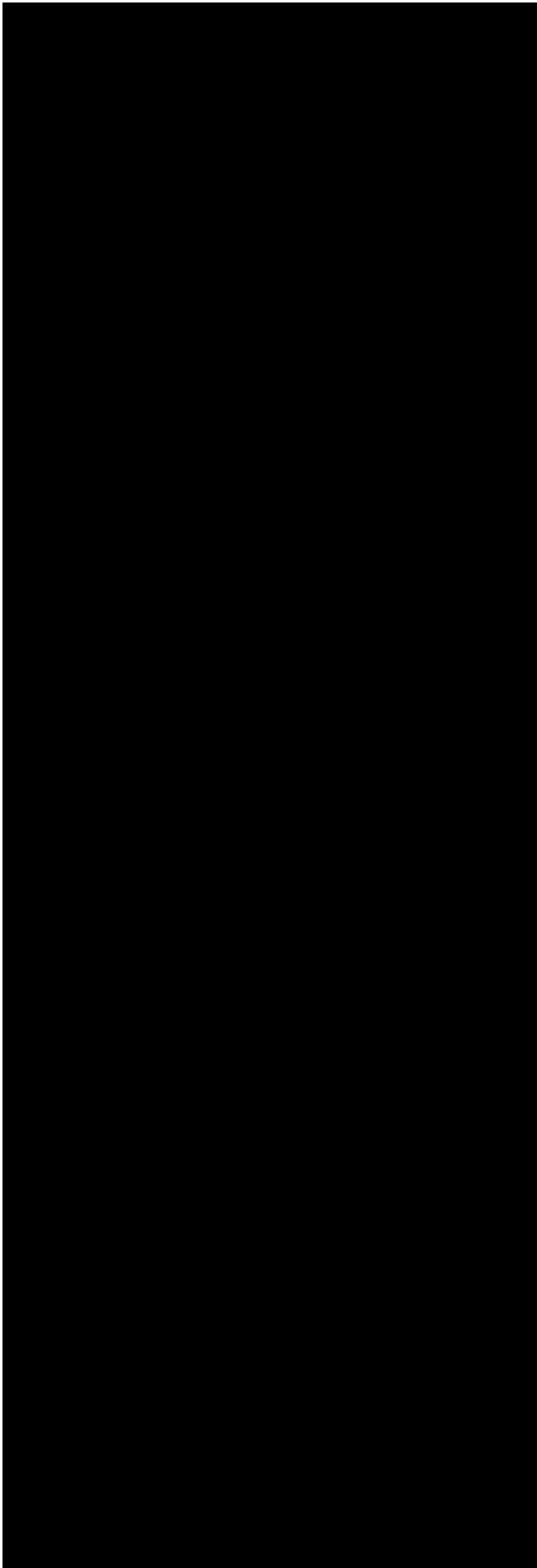


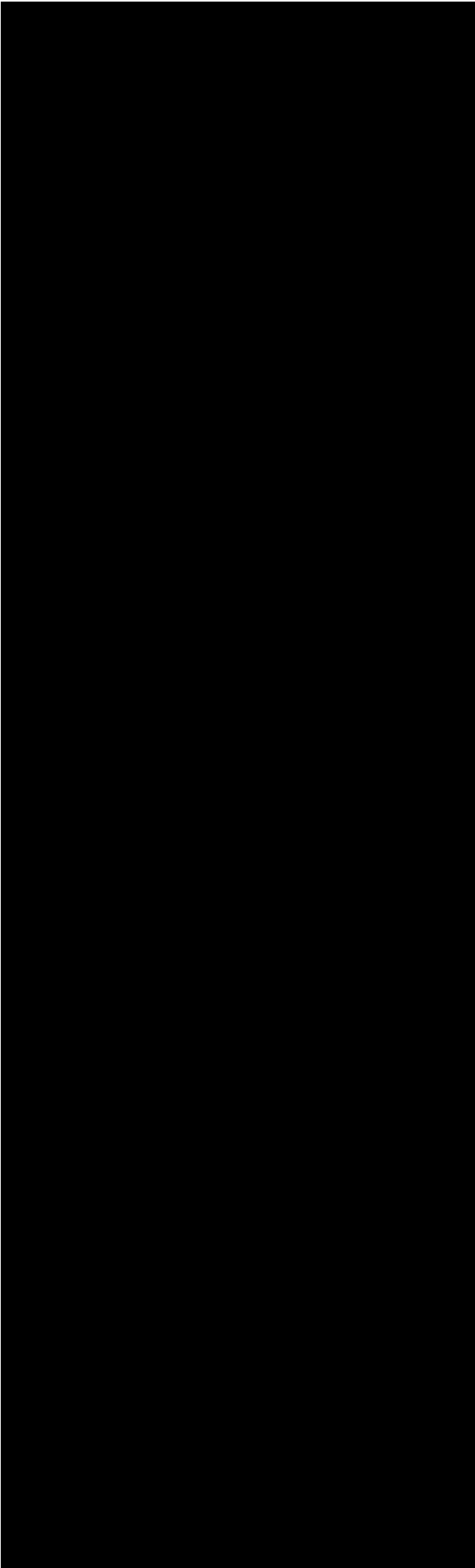


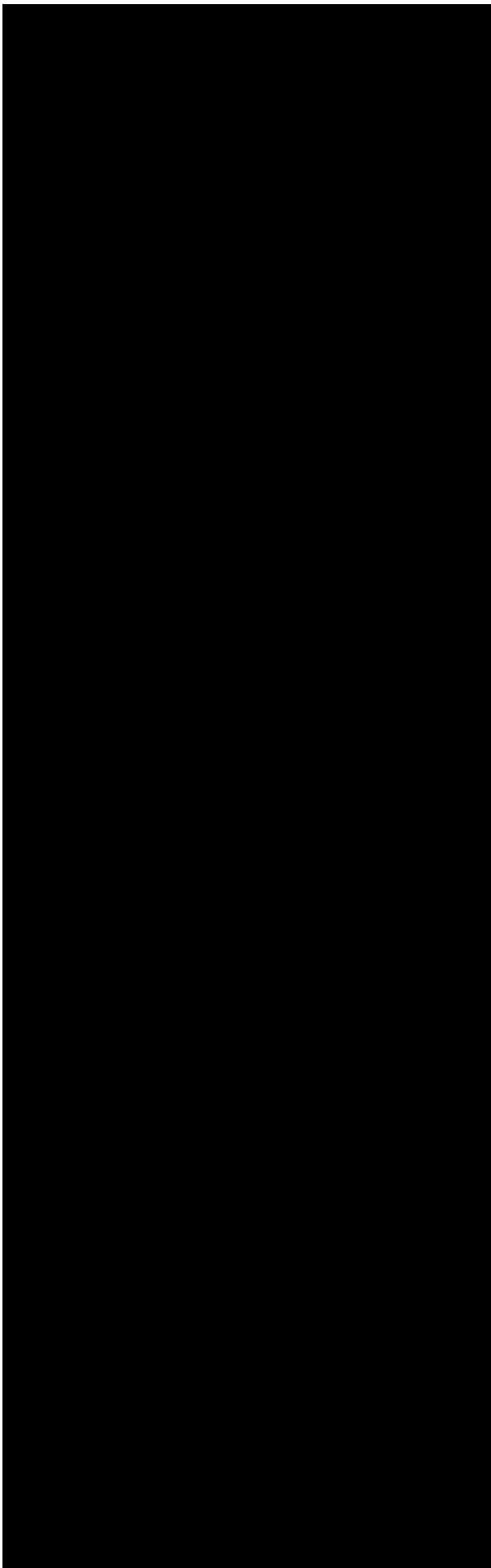
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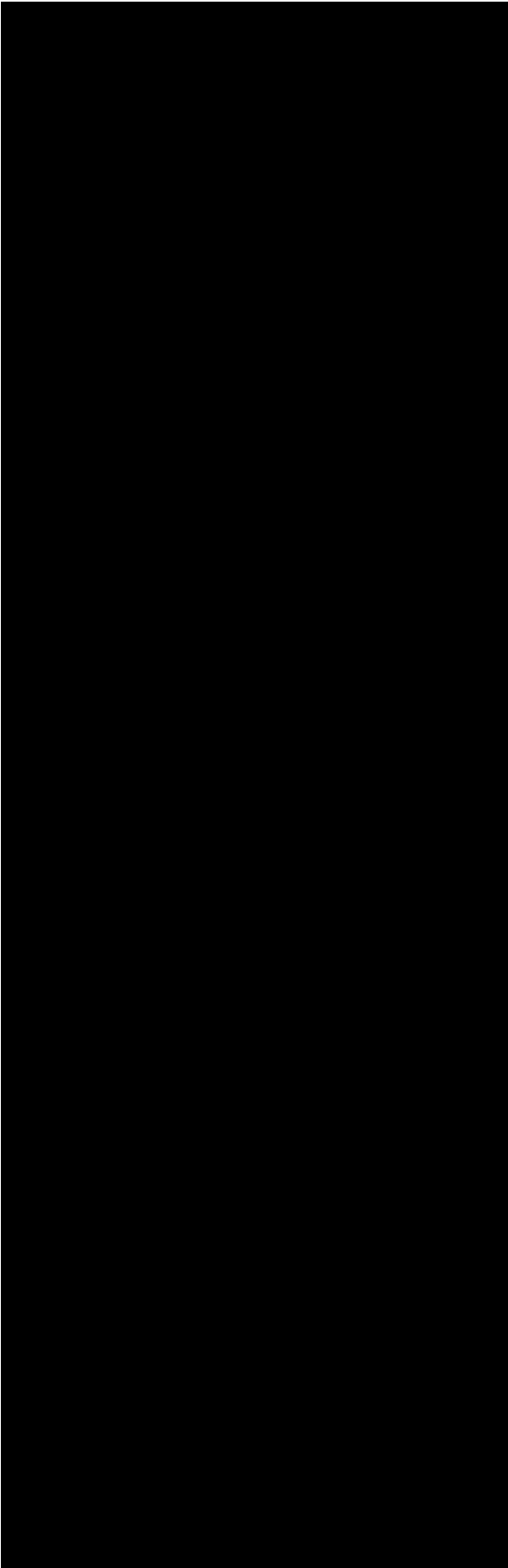


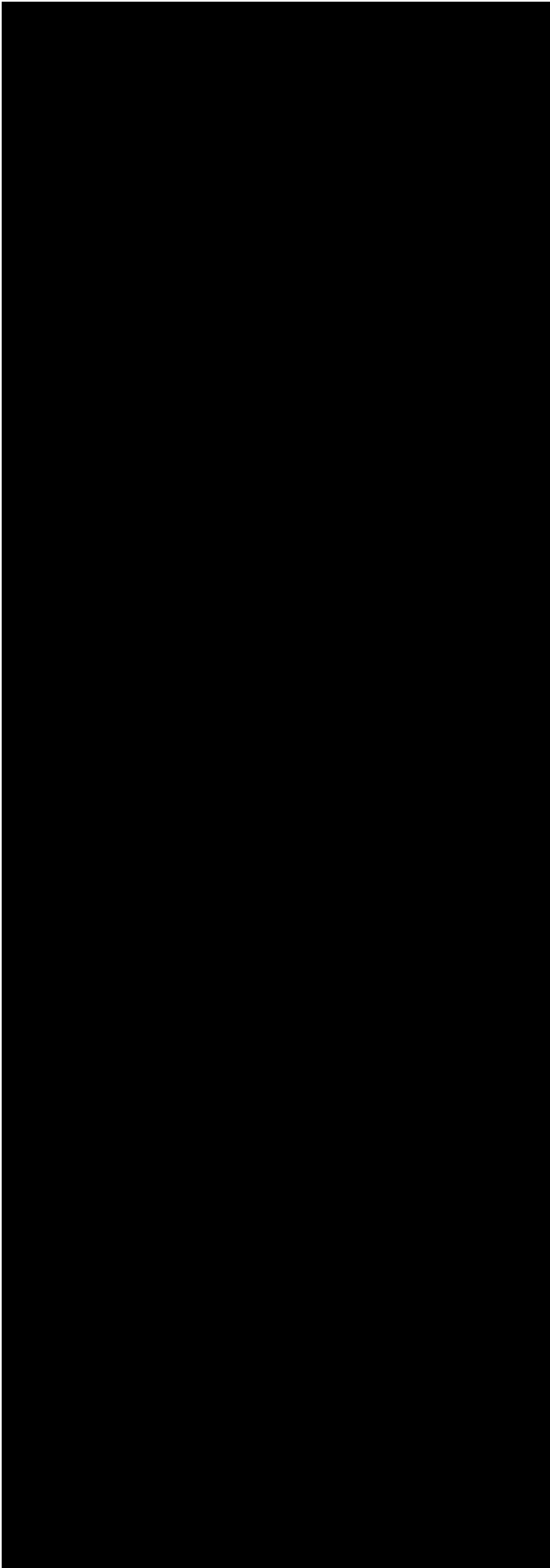














NTEC *Ex Parte* Pet. For Emergency Svc. Order (NOR 42178)

Reporting Period: 6/22/2023 through 6/28/2023

