

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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243237

NORTH AMERICA FREIGHT CAR)
ASSOCIATION; AMERICAN FUEL &)
PETROCHEMICAL 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)
)
)
vs.)
)
UNION PACIFIC RAILROAD)
COMPANY)

NOR 42144, 42150, 42152

ENTERED
Office of Proceedings
May 18, 2017
Part of
Public Record

JOINT WEEKLY STATUS REPORT – MAY 18, 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. Valero Marketing and Supply Company and Valero Rail Partners, LLC anticipate beginning a rolling production this week.
2. On May 17, 2017, Union Pacific served its responses and objections to the first set of discovery requests from the Valero entities.
3. On May 18, 2017, the parties met to confer on the Valero entities’ objections to Union Pacific’s discovery requests.

4. The Tesoro entities, which have not served their responses and objections to Union Pacific's first set of discovery requests, continue to work with their counsel on responding to Union Pacific's discovery and moving towards a rolling production. The Tesoro entities anticipate serving their responses before next week.

Respectfully submitted,

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

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Dated May 18, 2017

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Company LLC, Tesoro Great Plains
Gathering & Marketing LLC, and Dakota
Prairie Refining, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on May 18, 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