

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
June 7, 2023
Part of
Public Record

Sanimax USA LLC,	)	
	)	DOCKET NO. NOR 42171
Complainant,	)	
	)	
v.	)	
	)	
Union Pacific Railroad Company,	)	
	)	
Defendant.	)	

SANIMAX USA LLC’S STATUS REPORT

Complainant Sanimax USA LLC (“Sanimax”) respectfully files this status report in response to the Board’s decision, dated May 24, 2023 (the “Decision”). The Board’s Decision directs the parties to update the Board on three items: (1) how many days per week Union Pacific (“UP”) is providing service to Sanimax; (2) whether UP has made any commitments on service frequency moving forward; and (3) whether Sanimax and UP have engaged in additional settlement discussions. Sanimax takes these three items in turn. The parties conferred about filing a joint status report. But given the time frame of the order, Sanimax and UP were not able to complete a joint filing.

1. UP’s Service to Sanimax

As of May 2, 2022, UP had agreed to provide service to Sanimax’s South St. Paul facility [REDACTED], *i.e.*, schedule service to Sanimax [REDACTED]. (UP Mot. to Dismiss 1.) Even if UP did schedule service [REDACTED], the actual service provided has fallen short of this commitment. For example, [REDACTED]

[REDACTED]

[REDACTED]. UP's actual service continues to fall short of its committed service.

2. UP's Commitments on Service Frequency

UP's commitment to provide service [REDACTED] expired on [REDACTED]. UP has not renewed its commitment to providing service [REDACTED] in the future.

3. Status of Settlement Discussions

The parties have not engaged in any additional settlement discussions.

Respectfully submitted,

Date filed: June 7, 2023

/s/ Richard F. Riley, Jr.

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PUBLIC VERSION

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2023, the foregoing Sanimax USA LLC's Status Report was served by email and first-class mail on Union Pacific's attorneys and on the Association of American Railroads (Public version only). On June 8, 2023, a corrected public version of Sanimax USA LLC's Status Report (with additional redactions) was served by email and first-class mail on Union Pacific's attorneys and on the Association of American Railroads at the following addresses:

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/s/ Richard F. Riley, Jr.

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