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Via E-Filing

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

ENTERED
Office of Proceedings
July 10, 2025
Part of
Public Record

July 10, 2025

**Re: BNSF Railway Company—Emergency Petition for
Enforcement—Interchange with Salt Lake Garfield
& Western Railway, Docket No. FD 32760 (Sub-No. 51)**

Dear Ms. Brown:

On behalf of Union Pacific Railroad Company, I am filing the attached letter to update the Board on the status of the referenced matter. Carl Garrison, Union Pacific's Vice President, Network Planning and Operations, sent the attached letter to his counterpart at BNSF Railway Company this morning as a follow-up to a conversation between the parties that occurred yesterday.

As Mr. Garrison's letter explains, BNSF trackage rights trains already operate over Union Pacific's lines between Stockton, California, and Salt Lake City, Utah, using crews provided by Union Pacific. Union Pacific is not seeking to prevent BNSF from operating additional trains. However, if BNSF wants to operate additional trains using crews provided by Union Pacific, then Union Pacific needs time to hire and train additional crews—just like BNSF would need time to hire and train crews if BNSF elected to provide its own crews, as is its right under the parties' Revised and Amended Settlement Agreement.

Sincerely,



Michael L. Rosenthal
*Counsel for Union Pacific
Railroad Company*

Attachment

cc: Peter W. Denton (Counsel for BNSF)



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July, 10, 2025

Via Email

Farah K. Lawler
BNSF Railway Company
2500 Lou Menk Drive
Fort Worth, Texas 76161
farah.lawler@bnsf.com

Farah:

This is a follow-up to our discussion on 07/08/25.

As I stated during our conversation, UP is not prohibiting BNSF from exercising its trackage rights to run trains between Stockton and Salt Lake City. In fact, BNSF exercises its trackage rights over this route today, with UP providing the crews to operate the trains at BNSF's request. The request to run additional trains on this route requires a few steps that I spelled out in our conversation and will reiterate here.

- First, the additional trains running over this route require additional crews to operate. Since BNSF requested UP provide the crews, BNSF must give UP advance notice to hire and adequately train additional employees. Now that we have talked and you provided BNSF's requested operating details (including origin and destination points and the number of trains that will run), we will need approximately five (5) months to on-board the necessary employees. We would anticipate the first train pairs could start running at around five (5) months and then we can ramp up to the full request of five (5) train pairs per week over the following 30-60 days. We will provide regular updates on the status of the on-boarding process to ensure the trains are able to run as soon as the additional employees are available.
- Second, UP has established routing protocols based upon safety, efficiency, and service requirements. Accordingly, as you are aware, UP operates trains on this route between Stockton and Weso bi-directionally across the Roseville Subdivision, which you've referred to as the "Southern Route." UP's Canyon and Winnemucca Subdivisions, which you've referred to as the "Northern Route" are operated directionally, westbound. The additional trains BNSF has requested UP operate will run per the established routing protocol, exactly as BNSF's current trains on this route are run, over the same track, using the same trackage rights.
- Third, if BNSF desires to run double-stacked intermodal equipment on the intermodal trains that traverse the portion of the route outlined above, BNSF shall be responsible to pay for its share of the cost of achieving the required clearances for this equipment, before the first shipment is sent. UP will provide the details on this cost to BNSF. If BNSF does not desire to run double-stacked intermodal equipment on these trains, BNSF has no responsibility to pay for their share of the cost of achieving the required clearances. This choice is BNSF's alone and the terms are spelled out in the RASA. With either choice BNSF makes, the trains will operate per the established routing protocol, over the Roseville Subdivision.

I look forward to hearing back from you regarding BNSF's decisions on whether you intend for UP to provide the crews to run the additional trains, and if you intend to run double-stacked intermodal equipment. You said that you may run additional trains (more than the originally requested five (5) train pairs per week) instead of running double-stacked intermodal equipment. This will increase the hiring requirements. We will also need advance notice of that change, including the number of trains, to hire and train the additional employees this would require.

Regards,

Carl Garrison
Vice President – Network Planning and Operations