

44536
ALJ

SERVICE DATE – LATE RELEASE JUNE 1, 2015

SURFACE TRANSPORTATION BOARD

ORDER OF PRESIDING ADMINISTRATIVE LAW JUDGE REPORTING RESOLUTION
OF DISCOVERY DISPUTE AND CANCELLING DISCOVERY CONFERENCE

Docket No. FD 32760 (Sub-No. 46)

BNSF RAILWAY COMPANY—TERMINAL TRACKAGE RIGHTS—KANSAS CITY
SOUTHERN RAILWAY COMPANY AND UNION PACIFIC RAILROAD COMPANY

Decided: June 1, 2015

On May 27, 2015, I received a letter from the parties stating that they had “reached a settlement regarding the outstanding discovery disputes that were the subject of . . . the April 8, 2015 order (“Order”) from Director Campbell, Office of Proceedings, Surface Transportation Board (“STB”) assigning resolution of those Motions to your office.” Based on this letter, I am dismissing as moot the motions to compel discovery in this proceeding.

It is ordered:

1. The discovery conference scheduled for June 2, 2015, is cancelled.
2. The motions to compel that KCS filed against BNSF on January 15, 2015; against CITGO on February 9, 2015; and against BNSF on February 6, 2015, are dismissed as moot.

By the Board, Steven A. Glazer, Administrative Law Judge.