

238750

# BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS  
2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820  
FACSIMILE: (202) 663-7849

ENTERED  
Office of Proceedings  
July 6, 2015  
Part of  
Public Record

William A. Mullins

Direct Dial: (202) 663-7823  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

July 6, 2015

## VIA E-FILING

Cynthia T. Brown, Chief  
Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington DC 20423-0001

Re: Finance Docket No. 32760 (Sub-No. 46), BNSF Railway Company – Terminal Trackage Rights – Kansas City Southern Railway Company and Union Pacific Railroad Company

Dear Ms. Brown:

As the Board is aware, on May 27, 2015, The Kansas City Southern Railway Company (“KCSR”) withdrew its then outstanding motions to compel discovery, which were filed on January 15, February 6, and February 9, 2015 (collectively “Motions”). Via an order issued on June 1, 2015 by Administrative Law Judge Glazer, the Motions were dismissed as moot. Since that time, the parties (KCSR, Union Pacific, BNSF Railway, and CITGO)(collectively, “Parties” or “Party”) have resolved most of their outstanding discovery disputes, with each Party preserving the right to raise objections and claims of relevancy with respect to any document produced or argument raised in the proceeding.

Due to the discovery disputes, the procedural schedule is currently being held in abeyance. The Parties having now resolved most of the issues and having conferred, hereby propose the resumption of the procedural schedule. Based up those discussions, the Parties propose August 24, 2015 as the due date for any replies to the BNSF application and October 23, 2015 as the due date for any rebuttal filings. As counsel for KCSR, I am authorized to file this request on behalf of all Parties.

Sincerely,



William A. Mullins

cc: Parties of Record