

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB Finance Docket No. 35557**

232538

**REASONABLENESS OF BNSF RAILWAY COMPANY  
COAL DUST MITIGATION TARIFF PROVISIONS**

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ENTERED  
Office of Proceedings  
July 9, 2012  
Part of  
Public Record

**JOINT MOTION TO RESCHEDULE  
TECHNICAL CONFERENCE FOR JULY 18, 2012**

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BNSF Railway Company (“BNSF”) and the Member Organizations of Western Coal Traffic League (“WCTL”) that were the subject of the Director of the Office of Proceeding’s February 27, 2012 Decision (“Director’s Decision”) and the Board’s June 25, 2012 Decision (“Member Organizations”<sup>1</sup>) hereby jointly move to reschedule the technical conference from July 11, 2012 to July 18, 2012 for the reasons set forth below.

1. In its decision dated June 25, 2012, the Board denied the appeal of the Member Organizations of the Director’s Decision and scheduled a technical conference for July 11, 2012, to address the discovery requests directed by BNSF to the Member Organizations.

2. Following the Board’s June 25, 2012 decision, counsel for BNSF and the Member Organizations have been engaged in negotiations regarding BNSF’s discovery requests. The parties believe that progress is being made toward a negotiated resolution of BNSF’s discovery requests. However, the parties need a few more days to determine whether an agreement can be reached.

3. In order to complete negotiations, counsel for BNSF and the Member Organizations jointly request that the technical conference currently scheduled for July 11, 2012,

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<sup>1</sup> See June 25, 2012 Decision, at n.2 and n.13.

be rescheduled for July 18, 2012. If BNSF and the Member Organizations reach agreement as to the scope of discovery before July 18, 2012, they will file a motion to request that the technical conference be cancelled.

Respectfully submitted,

Anthony LaRocca (KG)

Samuel M. Sipe, Jr.  
Anthony J. LaRocca  
Kathryn J. Gainey  
STEPTOE & JOHNSON LLP  
1330 Connecticut Avenue, N.W.  
Washington, D.C. 20036-1795  
(202) 429-8119

*Attorneys for BNSF Railway Company*

Peter Pfohl (KG)

William L. Slover  
John H. LeSeur  
Andrew B. Kolesar III  
Peter A. Pfohl  
Slover & Loftus LLP  
1224 Seventeenth Street, N.W.  
Washington, D.C. 20036  
(202) 347-7170

*Attorneys for Member Organizations of WCTL*

Dated: July 9, 2012

**CERTIFICATE OF SERVICE**

I hereby certify that on July 9, 2012, I caused a copy of the foregoing to be served by e-mail or first-class mail, postage prepaid, upon all parties of record in this case as follows:

Thomas W. Wilcox  
GKG Law, PC  
Canal Square  
1054 31st St., NW, Suite 200  
Washington, D.C. 20007-4492  
E-mail: twilcox@gkglaw.com

*Counsel for The National Coal Transportation Association and Omaha Public Power District*

John H. LeSeur  
Slover & Loftus  
1224 Seventeenth Street, N.W.  
Washington, DC 20036  
E-mail: jhl@sloverandloftus.com

*Counsel for Western Coal Traffic League, American Public Power Association, Edison Electric Institute, and National Rural Electric Cooperative Association*

Christopher S. Perry  
U.S. Department of Transportation  
Office of the General Counsel  
1200 New Jersey Avenue, S.E.  
Room W94-316  
Washington, DC 20590  
E-mail: christopher.perry@dot.gov

Michael L. Rosenthal  
Covington & Burling LLP  
1201 Pennsylvania Avenue, NW  
Washington, DC 20004-2401  
E-mail: mrosenthal@cov.com

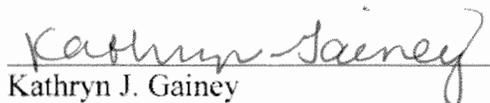
*Counsel for Union Pacific Railroad Company*

Eric Von Salzen  
McLeod, Watkinson & Miller  
One Massachusetts Avenue, NW  
Suite 800  
Washington, DC 20001  
E-mail: evonsalzen@mwmlaw.com

*Counsel for Arkansas Electric Cooperative Corporation*

Sandra L. Brown  
Thompson Hine LLP  
1919 M Street, NW, Suite 700  
Washington, DC 20036  
E-mail: Sandra.Brown@ThompsonHine.com

*Attorney for Ameren Missouri*

  
Kathryn J. Gainey