

 GRANTED Office of Proceedings	DECISION ID NO.: <u>42520</u>	BEFORE THE SURFACE TRANSPORTATION BOARD
	DECIDED DATE: <u>7/10/12</u>	
	SERVICE DATE: <u>7/10/12</u>	
	APPROVED: <u>Rachel D Campbell</u> Director	
<input type="checkbox"/>	REASONABLENESS OF BNSF RAILWAY COMPANY COAL DUST MITIGATION TARIFF PROVISIONS	

STB Finance Docket No. 35557

232538

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

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

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"¹) 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,

¹ 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,

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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:

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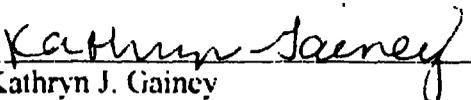
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