



Surface Transportation Board  
Washington, D.C. 20423-0001

307654

November 27, 2023

ENTERED  
Office of Proceedings  
December 19, 2023  
Part of  
Public Record

Chairman Martin Oberman  
395 E Street, SW  
Washington, DC 20423

RE: STB Docket No. FD 22218, Atchison, Topeka & Santa Fe Railway Company – Operating Rights – Southern Pacific Transportation Company

Dear Chairman Oberman:

By your letter dated August 3, 2023, you appointed the Federal Mediation and Conciliation Service (FMCS) to serve as lead mediator in the above-referenced matter. John Dalton and I were appointed to assist in the mediation.

On behalf of the FMCS and STB mediators, I write to inform you that the mediation team met with the parties (Union Pacific & BNSF) several times over the last few months, but the parties ultimately were unable to reach a settlement. Accordingly, as required by the decision served on May 15, 2023, in this docket, we are hereby providing notice that the mediation has ended.

As required by the Board's regulations, Mr. Dalton and I will remain recused from the formal proceeding. As such, we will continue to remain available to the parties as mediators should they decide to reactivate mediation at a later date.

Sincerely,

Valerie O. Quinn  
Office of Proceedings

cc: Peter Denton, Partner, Steptoe & Johnson LLP  
Mike Rosenthal, Partner, Covington & Burling LLP  
Karen Hedlund, Vice Chairman, Surface Transportation Board  
Patrick Fuchs, Board Member, Surface Transportation Board  
Michelle Schultz, Board Member, Surface Transportation Board  
Robert Primus, Board Member, Surface Transportation Board  
David Moora, Federal Mediation & Conciliation Service  
Emily Rife, Federal Mediation & Conciliation Service  
John Dalton, Surface Transportation Board