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Via E-Filing

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

Re: STB Docket No. FD 32760 (Sub-No. 48), *BNSF Railway Co.—Petition for Enforcement—Service to Granite Mountain Quarries*

Dear Ms. Brown:

The Board should reject BNSF's letter dated April 2, 2024, as an impermissible reply to a reply. If the Board accepts the letter into the record, it should reject BNSF's proffered interpretation of Item 2525 of Tariff MP 8170-C.

As UP explained in its Reply, Item 2525 creates an exception to the established Little Rock/North Little Rock switching limits so Granite Mountain Quarries ("GMQ") would be included in the switching district. The exception allowed GMQ to ship certain products using UP's rates for inter-terminal switching to stations in the switching district served by LRWN or SSW/SP but not MP.

BNSF's proffered interpretation ignores not only Item 2525's stated purpose, but also Item 2525's presence in the portion of the tariff defining switching limits. It also ignores the separate portion of the tariff expressly listing facilities open to reciprocal switching – a list that does not include GMQ. And it ignores UP's evidence that all UP's moves for GMQ involving an interchange with LRWN have been inter-terminal moves – that is, none have been billed as reciprocal switches. Reply Ex. 1 at 4.

Sincerely,

David M. Newman

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of April 2024, I caused the foregoing letter to be served electronically on all parties of record in this proceeding.

/s/ *David M. Newman*
Attorney for Union Pacific Railroad Company