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SEC

SERVICE DATE - JANUARY 27, 1998  
SURFACE TRANSPORTATION BOARD

DECISION

STB No. 42019

GUITTARD CHOCOLATE COMPANY--PETITION FOR DECLARATORY ORDER--  
CERTAIN RATES AND PRACTICES OF WILLIG FREIGHT LINES, INC.

Decided: January 22, 1998

This proceeding arises out of the efforts of Willig Freight Lines, Inc. (respondent) to collect undercharges for certain transportation services performed on behalf of Guittard Chocolate Company (petitioner). The matter is before the Board on referral from the United States Bankruptcy Court for the Northern District of California.

By decision served October 3, 1997, the Board established a procedural schedule in this proceeding. Petitioner's opening statement was due on December 2, 1997. Board records, however, indicate that petitioner has not filed its opening statement. Accordingly, petitioner is directed to file its opening statement by February 17, 1998, or show cause why this proceeding should not be dismissed.

It is ordered:

1. Petitioner is directed to file its opening statement on or before February 17, 1998, or show cause, why this proceeding should not be dismissed.
2. If petitioner files its opening statement, respondent's reply statement will be due on March 19, 1998, and petitioner's rebuttal statement will be due on April 8, 1998.
3. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

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