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SEC

SERVICE DATE - MARCH 29, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42071

OTTER TAIL POWER COMPANY

v.

THE BURLINGTON NORTHERN AND  
SANTA FE RAILWAY COMPANY

Decided: March 26, 2004

By motion filed on March 24, 2004, the Otter Tail Power Company (Otter Tail) requests a 1-week extension for filing final rebuttal evidence, changing the deadline from April 22, 2004, to April 29, 2004. Otter Tail states that the extension of time is needed due to a sudden and unexpected health issue with one of its key witnesses, who needs the extra time to recuperate and contribute to the preparation of Otter Tail's rebuttal evidence. Otter Tail also states that defendant does not oppose the extension.

The requested extension is reasonable. Accordingly, the motion to modify the procedural schedule will be granted.

It is ordered:

1. BNSF's motion to modify the procedural schedule, as last established in a decision served February 19, 2004, is granted.

2. The procedural schedule in this proceeding is modified as follows:

April 29, 2004            Final rebuttal evidence is due.

3. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary