

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 27590 (Sub-No. 3)

TTX COMPANY, ET AL. — APPLICATION FOR APPROVAL
OF POOLING CAR SERVICE WITH RESPECT TO FLATCARS

Decided: March 10, 2004

On January 6, 2004, TTX Company (TTX) and certain participating railroads filed an application to extend for 15 years TTX's flatcar pooling authority, which the Board's predecessor, the Interstate Commerce Commission (ICC), originally granted in 1974, extended in 1989, and extended again in 1994. Unless further extended, TTX's current pooling authority under the ICC's 1994 order will expire on October 1, 2004.

In a notice served and published in the Federal Register on February 5, 2004 (February 5 Notice), 69 FR 5662-63, the Board prescribed a procedural schedule for this proceeding. The Board directed that comments on the application must be filed by March 22, 2004, with applicants' rebuttal due by April 21, 2004. A decision on the merits is due to be issued by September 1, 2004.

In response to the Board's February 5 Notice, the U.S. Department of Defense, Military Surface Deployment and Distribution Command (DOD), and the National Industrial Transportation League (NITL) separately filed petitions requesting that the due date for the submission of comments on the application be extended until April 12, 2004. In support of their petitions, DOD and NITL state that they need additional time to review the application, assess its possible impact, respectively, on DOD's rail service requirements and those of NITL's members, and develop their respective positions on the application. TTX has advised the Board that it does not object to the extension requests. However, if the extension requests are granted, TTX requests a commensurate extension of time to prepare its response to any comments filed.

The requests of DOD and NITL are reasonable and will be granted. The procedural schedule will be modified accordingly.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The deadline for submission of comments responsive to TTX's application is extended until April 12, 2004.
2. If comments are filed, applicants' rebuttal is due by May 12, 2004.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary