

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 41295

PENNSYLVANIA POWER & LIGHT COMPANY
v.
CONSOLIDATED RAIL CORPORATION, CSX TRANSPORTATION, INC.,
AND NORFOLK SOUTHERN RAILWAY COMPANY

Decided: March 12, 1997

This complaint proceeding is being handled under the Board's new regulations for processing rail rate reasonableness complaints under 49 CFR part 1111.¹ On January 15, 1997, the Board established a procedural schedule (210 days) in this matter. On February 28, 1997, at the parties' request and in order to facilitate the discovery process, the Board established March 19, 1997, as a common date for filing discovery motions to compel.

In a letter dated March 12, 1997, Conrail states that the parties have diligently pursued their discovery, and have made substantial progress, but that significant issues remain outstanding. Conrail adds that the parties hope to be able to minimize the need for motions to compel by undertaking further cooperative discovery efforts. Therefore, the parties request a 10-day extension of the procedural schedule. Conrail states that the complainant and the other defendants in this proceeding have authorized Conrail to state that they concur in this request.

It is ordered:

1. The filing date for motions to compel is extended to March 28, 1997, and the cut-off for discovery is extended to April 10, 1997. The due dates for evidentiary filings under the Board's regulations are similarly extended by 10 days.

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ See Expedited Procedures for Processing Rail Rate Reasonableness, Exemption and Revocation Proceedings, STB Ex Parte No. 527 (STB served Oct. 1, 1996 and Nov. 15, 1996); published at 61 FR 52710 (Oct. 1, 1996), 61 FR 53996 (Oct. 16, 1996), 61 FR 57339 (Nov. 6, 1996) (postponing effective date), and 61 FR 58490 (Nov. 15, 1996).