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SEC

SERVICE DATE - MARCH 11, 1997

SURFACE TRANSPORTATION BOARD¹

No. 41667

THE CLARK GRAVE VAULT COMPANY
v.
CONSOLIDATED RAIL CORPORATION

Decided: March 10, 1997

By decision served February 8, 1996, the Board established a procedural schedule for submission of statements. The due date for opening statements was extended until March 10, 1997.

On February 20, 1997, complainant requested a further 180-day extension to file its opening statement. Complainant states that additional time is needed to permit the parties to complete discussions in a comprehensive settlement of all issues in this proceeding. Complainant states that defendant does not oppose the requested extension.

The extension request will be granted. The procedural schedule will be adjusted accordingly.

It is ordered:

1. Complainant's extension request is granted.
2. Complainant's opening statement is due on September 8, 1997.
3. Respondent's reply statement is due on October 8, 1997.
4. Complainant's rebuttal statement is due on October 28, 1997.
5. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This decision relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11701. Therefore, this decision applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.