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SERVICE DATE - FEBRUARY 5, 1999  
SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42041

NATIONAL CLASSIFICATION COMMITTEE AGREEMENT—  
EXTENSION OF DEADLINE FOR DECISION ON DOCKETED PROPOSAL

Decided: February 2, 1999

By petition filed on January 29, 1999, and supplemented on February 1, 1999, the National Motor Freight Traffic Association, Inc. (NMFTA) requests that the Board extend the 120-day deadline found in rule 5 Article V of the National Classification Committee (NCC) agreement.<sup>1</sup> NMFTA requests a one-time, 39-day extension of the deadline for disposing of a docket involving the classification of visual teaching aids and “Futon Frames.”<sup>2</sup> NMFTA maintains that an extension is needed to allow NCC to dispose of an internal appeal of a decision rendered on October 6, 1998. NMFTA argues that it has only rarely asked for such extensions and that NCC has adopted a revised meeting schedule to ensure that repeated requests of this nature are not made. NMFTA represents that the appellants involved in the internal appeal do not object to the requested extension.

The extension will be granted. It appears that additional time is needed for the specific NCC docket in question and that NMFTA’s revised meeting schedule will ensure that extension requests are not frequent. Because there are valid grounds for the requested relief and the parties who would be affected do not object, I find that “unusual circumstances” exist under rule 5 to grant the request.

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

It is ordered:

1. The 39-day extension request is granted.

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<sup>1</sup> The NCC Agreement specifically provides in Article V:

Rule 5. Disposition of Proposals

(a) Final disposition for new or changed provisions in the Classification shall be made by the 120th day after docketing, except that in unusual circumstances such period may be extended, if, within the 120-day period, a petition requesting an extension of that period and setting forth supporting reasons is filed with the Interstate Commerce Commission.

<sup>2</sup> The two dockets are NCC Docket 985, Subjects 7 and 10.

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

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary