

SERVICE DATE - MAY 29, 1997

SURFACE TRANSPORTATION BOARD

DECISION

Finance Docket No. 32479

CADDO ANTOINE AND LITTLE MISSOURI RAILROAD COMPANY—  
FEEDER LINE ACQUISITION—  
ARKANSAS MIDLAND RAILROAD COMPANY LINE  
BETWEEN GURDON AND BIRDS MILL, AR

Decided: May 28, 1997

In a decision issued September 13, 1996, the United States Court of Appeals for Eighth Circuit remanded this proceeding for further consideration. *Caddo Antoine and Little Missouri R. Co. v. STB*, 95 F.3d 740 (8th Cir. 1996) (*Caddo*). By decision served May 14, 1997, the Board directed the parties to submit additional evidence to enable it to determine whether the public convenience and necessity requires or permits sale of the Norman Branch rail line between Gurdon and Birds Mill, AR, by the Arkansas Midland Railroad Company (ARM) under the feeder line statute, 49 U.S.C. 10907(c)(1). The decision required the filing of initial statements by June 13, 1997, and replies by June 30, 1997.

On May 23, 1997, ARM requested a 2-week extension of the filing dates. As ARM notes, the Board indicated that the line may have a going concern value (GCV). ARM asserts that determination of a GCV will require an expert's opinion and other information that may not be available by the June 13 due date. ARM requests that the initial statements be due by June 27, 1997, and replies be due by July 14, 1997. ARM indicates that the feeder line applicants, through counsel, do not object to the extension.

ARM's request is reasonable and will be granted. Initial statements and argument will now be due June 27, 1997, and replies will be due July 14, 1997.

*It is ordered:*

1. ARM's request to modify the procedural schedule is granted.
2. Initial statements and argument are due June 27, 1997, and replies are due July 14, 1997.
3. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary