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SEC

SERVICE DATE - JULY 12, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33853

CEMEX USA—PETITION FOR DECLARATORY ORDER—THE
BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: July 11, 2000

The Board instituted this declaratory order proceeding and issued a procedural schedule in a decision served on April 10, 2000. Subsequently the petitioner, Cemex USA (Cemex) filed its opening statement and The Burlington Northern and Santa Fe Railway Company (BNSF) filed its reply. On July 11, 2000, Cemex and BNSF jointly filed a stipulation stating that they have tentatively agreed to a settlement. To give them time to discuss and finalize the settlement, the parties request that the due date for Cemex's rebuttal statement be stayed for 30 days, from July 13 to August 12, 2000. This request for an extension of time to file a rebuttal is reasonable and will be granted.

It is ordered:

1. The joint request to extend the previously adopted procedural schedule is granted; Cemex's rebuttal statement is due by August 12, 2000.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary