

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 35743

APPLICATION OF THE NATIONAL RAILROAD PASSENGER CORPORATION UNDER
49 U.S.C. § 24308(a) – CANADIAN NATIONAL RAILWAY COMPANY

JOINT REQUEST FOR MODIFICATION OF PROCEDURAL SCHEDULE

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December 4, 2015

 GRANTED	DECISION ID NO.: <u>44954</u>
	DECIDED DATE: <u>12/8/15</u>
	SERVICE DATE: <u>12/9/15</u>
	APPROVED: <u>Richard Campbell</u> Director
Office of Proceedings	<input type="checkbox"/>

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In its decision served October 7, 2015, the Board modified the procedural schedule in this proceeding, setting October 14, 2015, as the deadline for service of discovery requests and providing for the filing by applicant National Railroad Passenger Corporation (“Amtrak”) and respondents Illinois Central Railroad Company and Grand Trunk Western Railroad Company (together, “CN”) of rebuttal submissions on December 14, 2015, opening briefs on January 19, 2016, and reply briefs on February 9, 2016.

In accordance with that decision, Amtrak and CN each served a second set of interrogatories and requests for production of documents. Having reviewed and discussed those requests, the parties have determined that they need additional time to complete the discovery process prior to filing their rebuttal submissions. Accordingly, the parties have agreed to file this joint request, seeking modification of the procedural schedule to provide such additional time.

Further, in order to allow for the establishment of a simple schedule based on the completion of discovery, and thereby try to avoid any need for multiple extension requests, the parties have

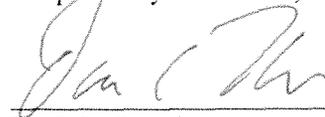
established between themselves a process for certifying to the Board jointly when discovery is complete.

WHEREFORE, Amtrak and CN hereby jointly request that the Board: (1) direct the parties to file a joint certification to the Board upon completing their responses to the parties’

second sets of discovery requests (“Joint Certification”), and (2) modify the existing procedural schedule to provide that filings shall be due within the number of days specified below following Joint Certification (referred to below as “JC”):

JC + 60 days	Rebuttal submissions by both parties;
JC + 95 days	Opening briefs of both parties;
JC + 116 days	Reply briefs of both parties.

Respectfully submitted,



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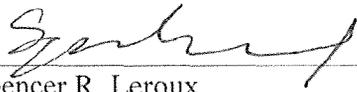
Counsel for National Railroad Passenger Corporation

Counsel for Grand Trunk Western Railroad Company and Illinois Central Railroad Company

December 4, 2015

CERTIFICATE OF SERVICE

I certify that I have this 4th day of December, 2015, caused a true copy of the foregoing Joint Request for Modification of Procedural Schedule to be served upon all known parties of record in this proceeding by first-class mail or a more expeditious method.



Spencer R. Leroux