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SEC

SERVICE DATE - LATE RELEASE JULY 19, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42056<sup>1</sup>

TEXAS MUNICIPAL POWER AGENCY

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

STB Docket No. 42057

PUBLIC SERVICE COMPANY OF COLORADO D/B/A XCEL ENERGY

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

STB Docket No. 42058

ARIZONA ELECTRIC POWER COOPERATIVE, INC.

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY AND UNION  
PACIFIC RAILROAD COMPANY

STB Docket No. 42054

PPL MONTANA, LLC

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: July 19, 2001

On July 5, 2001, The Burlington Northern and Santa Fe Railway Company (BNSF) and Union Pacific Railroad Company (UP)<sup>2</sup> filed a joint motion for consolidation of the above-

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<sup>1</sup> These proceedings are being handled together in this decision for administrative convenience and are not consolidated. As discussed herein, a limited consolidation is the subject of the pending motion.

<sup>2</sup> BNSF is a defendant in all of the above-captioned coal rate complaint proceedings. UP is a co-defendant in STB Docket No. 42058 only.

captioned proceedings for the limited purpose of addressing certain methodological disputes over the implementation of the stand-alone cost (SAC) test that are common to these cases.<sup>3</sup>

On July 13 and 16, 2001, respectively, complainants Public Service Company of Colorado d/b/a Xcel Energy (Xcel) and PPL Montana, LLC (PPL) filed motions seeking a 30-day extension of the July 25, 2001 reply date. They submit that the length, complexity, and timing of the joint motion are sufficient to justify an extension of time.<sup>4</sup>

Under the circumstances, the extension requests are reasonable and will be granted.<sup>5</sup>

It is ordered:

1. The requests for a 30-day extension of the reply date are granted. Replies to the joint motion for limited consolidation are due on August 24, 2001.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary

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<sup>3</sup> The SAC issues involve: (1) traffic forecasts; (2) cross-subsidization; (3) cross-over traffic; and (4) the applicability of the “real options” economic theory to capital charges and sunk costs.

<sup>4</sup> The joint motion is more than 80 pages long, including the verified statements of two economists, and was filed during the week encompassing the Independence Day holiday. In addition, Xcel states that it is still engaged in discovery. Accordingly, it will take time to familiarize itself with the issues raised in the motion and formulate a response.

<sup>5</sup> The remaining respondents may also take advantage of the extension.