

28304  
SEC

SERVICE DATE - SEPTEMBER 16, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 41987

WESTERN FUELS SERVICE CORPORATION

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: September 11, 1997

By a decision served July 28, 1997, the Board established a procedural schedule for the filing of statements in this proceeding. Complainant's supplementary evidence was due and was filed on August 12, 1997. Defendant's responsive evidence is due on September 26, 1997. Complainant's rebuttal is due on October 16, 1997.

By a motion filed August 13, 1997, complainant requests that the Board amend the procedural schedule by extending the due date for its rebuttal by 15 days to October 31, 1997. Complainant requests the extension so that it will have sufficient time to conduct discovery with respect to defendant's responsive evidence before filing its rebuttal. According to complainant, no harm will result to defendant by this minor expansion of the schedule. Defendant has not objected to the request.

Complainant's request for an extension of the due date for its rebuttal is reasonable and will be granted. The procedural schedule will be adjusted accordingly.

It is ordered:

1. Complainant's extension request is granted.
2. Defendant's responsive evidence is due by September 26, 1997.
3. Complainant's rebuttal is due by October 31, 1997.
4. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary