

SERVICE DATE - JULY 16, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB No. 41793

GENERAL FOODS CORPORATION--PETITION FOR  
DECLARATORY ORDER-- CERTAIN RATES AND PRACTICES  
OF ST. JOHNSBURY TRUCKING COMPANY, INC.

Decided: July 11, 1997

This proceeding arises out of the efforts of St. Johnsbury Trucking Company, Inc. (respondent), to collect undercharges on certain shipments from General Foods Corporation (petitioner). The matter is before the Board on referral from the United States District Court for the Southern District of New York.

By decision served June 17, 1996, a procedural schedule was established in this proceeding. Due dates were extended by subsequent decisions. Petitioner filed its opening statement on March 18, 1997. Respondent's reply was due on April 16, 1997. Board records, however, indicate that respondent has not filed a reply statement, nor has it sought an extension of the reply due date. Accordingly, respondent is directed to either file its reply by July 31, 1997, or show cause why this proceeding should not be disposed of based on the existing record.

*It is ordered:*

1. Respondent is directed to file its reply statement on or before July 31, 1997, or show cause why this proceeding should not be disposed of based on the existing record.
2. If respondent files a reply, petitioner's rebuttal will be due on August 20, 1997.
3. This decision is effective on the service date.
4. A copy of this decision will be mailed to:

The Honorable Sonia Sotomayor  
United States District Court for  
the Southern District of New York  
500 Pearl Street, Room 1340  
New York, NY 10038

Re: Civil Case No. 95 CIV 5217 (SS), Adv. No. 95/9386A

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary