

ENTERED
Office of Proceedings
June 26, 2014
Part of
Public Record

 GRANTED Office of Proceedings	DECISION ID NO.: <u>43884</u>
	DECIDED DATE: <u>6-27-14</u>
	SERVICE DATE: <u>6-27-14</u>
	APPROVED: <u>[Signature]</u> Director <input type="checkbox"/>

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 35790

**CAPITOL CORRIDOR JOINT POWERS AUTHORITY
AND NATIONAL RAILROAD PASSENGER CORPORATION**

- PETITIONS FOR DECLARATORY ORDER -

PRIIA SECTION 209 COST ALLOCATION METHODOLOGY IMPLEMENTATION

JOINT MOTION TO AMEND THE PROCEDURAL SCHEDULE

Counsel for Capital Corridor Joint Powers Authority and National Railroad Passenger Corporation (collectively, the "Parties") submitted a Joint Notice of Intent to Initiate a Proceeding for Declaratory Order ("Joint Notice of Intent") dated December 9, 2013, which presented to the Board a disagreement between the Parties over the implementation of the methodology for cost application approved by the Board in its Decision dated March 13, 2013 (Docket No. FD 35571), and requested that the Board adopt the Parties procedures established for petitions not otherwise covered in its regulations, 49 C.F.R. § 1117.1, and for evidence and discovery, 49 C.F.R. Part 1114, and that the Board establish the procedural schedule as set forth in the Joint Notice of Intent. The Board issued a Decision and Order on December 30, 2013, among other things, adopting the procedural schedule as set forth in the Joint Notice of Intent.

On January 15, 2014, the Parties submitted a Joint Stipulation and Amended Procedural Schedule ("Joint Stipulation"), requesting that the Board extend their deadline to file simultaneous Petitions for Declaratory Orders setting forth the Parties' respective cases in chief (the "Petitions") to January 21, 2014, and that the Parties' Petitions be served upon each other by electronic mail and regular mail by January 17, 2014. The Board issued a Decision and Order adopting the amended procedural schedule as set forth in the Joint Stipulation on January 16, 2014.

On March 4, 2014, the Parties submitted a second Joint Motion to Amend the Procedural Schedule ("Joint Motion"), requesting that the Board extend the deadline for discovery and the opportunity to utilize the Board's mediation services to April 30, 2014, and that the deadline to file reply papers be extended to May 30, 2014. The Board issued a Decision and Order adopting the amended procedural schedule as set forth in the Joint Motion on March 6, 2014.

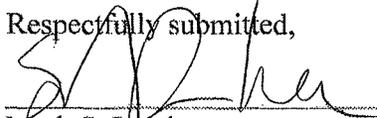
On May 21, 2014, the Parties submitted a third Joint Motion to Amend the Procedural Schedule, requesting that the Board extend the Parties' deadline to file reply papers July 1, 2014. The Board issued a Decision and Order adopting the amended procedural schedule as set forth in the Joint Motion on May 29, 2014.

The Parties have recently been working towards resolving any outstanding issues between them and believe that additional time to continue those discussions in advance of submitting their reply papers would be beneficial. Accordingly, the Parties have agreed to amend the procedural schedule as follows:

- The July 1, 2014 deadline to file reply papers is extended to July 21, 2014.

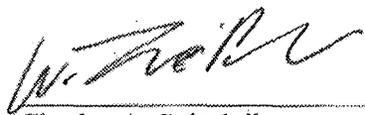
The Parties jointly request that the Board adopt the amended procedural schedule.

Respectfully submitted,


Mark S. Landman
Sophia Ree
Landman Corsi Ballaine & Ford P.C.
120 Broadway
27th Floor
New York, New York 10271
(212) 238-4800
Email: mlandman@lcbf.com
sree@lcbf.com

Counsel for National Railroad Passenger
Corporation

Dated: June 25, 2014


Charles A. Spitulnik
W. Eric Pilsk
Christian L. Alexander
Kaplan Kirsch & Rockwell LLP
1001 Connecticut Avenue, N.W.
Suite 800
Washington, DC 20036
(202) 955-5600
E-mail: cspitulnik@kaplankirsch.com
epilsk@kaplankirsch.com
calexander@kaplankirsch.com
Counsel for Capitol Corridor Joint Powers
Authority