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ALJ

SERVICE DATE - SEPTEMBER 18, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33407

DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION CONSTRUCTION  
INTO THE POWDER RIVER BASIN

Decided: September 17, 1998

On September 14, 1998, Dakota, Minnesota & Eastern Railroad Corporation (DM&E) filed a request for extension of the time for filing its reply evidence and argument in support of the transportation aspects of the Application, a request to be granted or denied by the Board. That request (p. 4, n.5) also seeks an extension of the due-date of all responses to a motion to declassify certain "Highly Confidential" and "Confidential" material, filed September 4, 1998, by the Mid-States Coalition for Progress (Coalition), a request that falls within my authority in this proceeding.

Upon DM&E's representation "that the Coalition does not oppose this request"; there appearing no reason to await a reply from any other party; and good cause appearing, it is ordered that the due-date of all responses to the Coalition's motion to declassify (described above) is extended until one week after the due-date of reply evidence and argument in support of DM&E's Application, as ultimately fixed by the Board.

This decision is effective on the service date.

By the Board, Joseph R. Nancy, Administrative Law Judge.

Vernon A. Williams  
Secretary