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SEC

SERVICE DATE - NOVEMBER 19, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42080

MINNESOTA NORTHERN RAILROAD, INC.  
v.  
CANADIAN NATIONAL RAILWAY COMPANY

Decided: November 18, 2003

On June 12, 2003, Minnesota Northern Railroad, Inc. (MNN), filed a complaint against Canadian National Railway Company (CN) alleging that, in the spring of 2001, CN removed interchange facilities at Warroad, MN, thereby preventing MNN from interchanging traffic on its line to CN's line. The Board established a procedural schedule pursuant to the parties' proposed schedule in a decision served on July 25, 2003. On October 31, 2003, the Board modified the procedural schedule so that CN's reply to MNN's opening statement was due no later than November 10, 2003, and MNN's rebuttal to CN's reply was due no later than November 25, 2003.

By letter filed on November 17, 2003, MNN seeks an extension of time until December 5, 2003 to file its rebuttal. In support of its extension request, MNN states that additional time is needed because CN's reply statement was not timely received by MNN due to a delay in the mail. According to MNN, CN's counsel agrees to the proposed extension. Under the circumstances, the request is reasonable and will be granted.

It is ordered:

1. MNN's request for an extension of time to file its rebuttal to CN's reply is granted. MNN's rebuttal is due no later than December 5, 2003.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary