

SERVICE DATE - JUNE 19, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33697

NATIONAL RAILROAD PASSENGER CORPORATION—PETITION FOR  
DECLARATORY ORDER—WEIGHT OF RAIL

Decided: June 18, 2002

By motion filed on April 12, 2002, the National Railroad Passenger Corporation (Amtrak) requested clarification of the Board's decision in National Railroad Passenger Corporation—Petition for Declaratory Order—Weight of Rail, STB Finance Docket No. 33697 (STB served Oct. 22, 1999) (Weight of Rail). On May 10, 2002, the Board served a decision granting Amtrak's request and instituting proceedings. Pursuant to the procedural schedule established in that decision, Guilford's<sup>1</sup> reply statement was due by June 10, 2002, Amtrak's rebuttal was due 10 days thereafter, and the Federal Railroad Administration (FRA) was requested to submit comments within 10 days after Amtrak submitted its rebuttal. Guilford's reply was filed on June 10, 2002, making Amtrak's rebuttal due by June 20, 2002.

By motion filed on June 13, 2002, Amtrak requests that the Board extend the time to file a rebuttal by 7 days to June 27, 2002. Amtrak states that this extension is necessary to analyze and prepare a response to various expert reports with technical data included in Guilford's reply.<sup>2</sup>

On June 17, 2002, Guilford filed a reply in opposition to Amtrak's extension request. Guildford argues that additional time is unnecessary because the substance of its argument and its expert testimony were disclosed to Amtrak and NNEPRA in a meeting held on March 7, 2002.

Amtrak's request to extend the due date for its rebuttal is reasonable and will not unduly protract this proceeding. Accordingly, it will be granted.<sup>3</sup>

---

<sup>1</sup> Springfield Terminal Railway Company, Boston and Maine Corporation, and Portland Terminal Company are referred to collectively as "Guilford."

<sup>2</sup> According to Amtrak, intervener the Northern New England Passenger Rail Authority (NNEPRA) seeks a comparable extension as to any rebuttal it may file.

<sup>3</sup> The due date for FRA's requested analysis and comment remains 10 days after Amtrak files its rebuttal.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The motion for an extension of time is granted.
2. Amtrak's rebuttal (as well as any rebuttal submitted by NNEPRA) is due by June 27, 2002.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary