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SEC

SERVICE DATE - JULY 15, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB No. 41881

ROCK CITY BOX CO., INC.--PETITION FOR DECLARATORY ORDER--CERTAIN RATES
AND PRACTICES OF ST. JOHNSBURY TRUCKING COMPANY, INC.

Decided: July 10, 1997

This proceeding arises out of the efforts of St. Johnsbury Trucking Company, Inc.. (respondent) to collect undercharges on certain shipments from Rock City Box Co., Inc. (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 July 15, 1996, a procedural schedule was established in this proceeding. Petitioner's opening statement was due on January 15, 1997. Board records, however, indicate that petitioner has not filed its statement. Accordingly, petitioner is directed to file its opening statement by August 4, 1997, or show cause why this proceeding should not be dismissed.

It is ordered:

1. Petitioner is directed to file its opening statement on or before August 4, 1997, or show cause why this proceeding should not be dismissed.
2. If petitioner files its opening statement, respondent's reply statement will be due on September 3, 1997, and petitioner's rebuttal statement will be due on September 23, 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 4886 (SS), Adv. No. 95/9149A

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary