

**EXPEDITED CONSIDERATION REQUESTED**

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

SUNBELT CHLOR ALKALI PARTNERSHIP

Complainant

v.

NORFOLK SOUTHERN RAILWAY COMPANY

and

UNION PACIFIC RAILROAD COMPANY



**GRANTED**

Office of  
Proceedings

DECISION ID NO.: 42363

DECIDED DATE: 4/25/12

SERVICE DATE: 4/25/12

APPROVED: Rachel D Campbell  
Director

) Docket No. NOR 42130

) 232223

) ENTERED

) Office of Proceedings

) April 20, 2012

) Part of

) Public Record

**MOTION TO MODIFY PROCEDURAL SCHEDULE**

Complainant, Sunbelt Chlor Alkali Partnership ("SunBelt"), respectfully requests that the Surface Transportation Board ("STB" or "Board") modify the procedural schedule in this proceeding, which was adopted by a Board decision served on November 21, 2011, as follows:

- |                  |                   |
|------------------|-------------------|
| August 1, 2012   | Opening Evidence  |
| December 4, 2012 | Reply Evidence    |
| April 8, 2013    | Rebuttal Evidence |
| May 10, 2013     | Final Briefs      |

This approximate 60-day extension to the current procedural schedule is necessary to enable SunBelt to incorporate 2011 traffic data produced by defendant, Norfolk Southern Railway Company ("NS), into SunBelt's stand-alone cost evidence. In addition, this extension will ~~reduce the overlap in the submission of evidence in both this case and Docket No. NOR 42125, E.I. du Pont de Nemours and Company v. Norfolk Southern Ry. Co.,~~ which currently are separated by just one month.

NS has authorized SunBelt to represent to the Board that NS does not oppose this Motion. SunBelt has reached a settlement with defendant, Union Pacific Railroad Company ("UP"), and expects to file a Motion to Dismiss UP within a few days. Therefore, UP also does

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not oppose this Motion. Because Opening Evidence is currently due in just six weeks, on June 1, 2012, SunBelt requests expedited consideration of this Motion.

Respectfully submitted,



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*Counsel for Sunbelt Chlor Alkali Partnership*

April 20, 2012

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**CERTIFICATE OF SERVICE**

I hereby certify that I have caused the foregoing Motion to Modify Procedural Schedule to be served by e-mail and first class mail this 20th day of April 2012, on:

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*Counsel to Union Pacific Railroad*

  
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Jeffrey O. Moreno