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ALJ

SERVICE DATE - LATE RELEASE AUGUST 13, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33407

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

Decided: August 13, 1998

At the request of the Applicant and the Mid-States Coalition for Progress, there being no time to await replies, and good cause appearing, the oral argument now scheduled will be postponed as indicated hereafter. Good cause also appears for the adoption of a procedural rule for the efficient disposition of future discovery disputes.

It is, therefore, ordered:

1. The oral argument now scheduled to be held August 13, 1998, is postponed until 10:00 a.m., Thursday, the 20th day of August, 1998. It will be held in a hearing room of the Federal Energy Regulatory Commission at 888 First Street, N.E., Washington, D.C.
2. Unless otherwise ordered, all future conferences and arguments, dealing with discovery disputes or questions only, will be held on Thursdays. A party desiring a conference or an argument, for that purpose only, must notify the administrative law judge and parties on the service list, orally or in writing, no later than noon of the Monday preceding the Thursday on which the conference or argument is sought to be held. No other notice is required or will be given.
3. Notices may be addressed to the undersigned administrative law judge at any of these addresses:

Joseph R. Nacy, ALJ
Federal Energy Regulatory Commission
888 First Street, N.E.
Room 11F-39

Washington, DC 20426
Tel.: (202) 219-2508
FAX: (202) 219-3289
E-mail: ***joseph.nacy@ferc.fed.us***

4. Pleadings and notices dealing with any subject other than discovery are not affected by this Decision, and must be filed and served as required by the Board's rules.

This decision is effective on the service date.

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

Vernon A. Williams
Secretary