

SERVICE DATE - JUNE 12, 1997

SURFACE TRANSPORTATION BOARD¹

DECISION

No. 41634²

NATIONAL BEEF PACKING CO.--PETITION FOR DECLARATORY ORDER--
CERTAIN RATES AND PRACTICES OF J.H. WARE TRUCKING INC.

No. 41641

VULPLEX, INC.--PETITION FOR DECLARATORY ORDER--
CERTAIN RATES AND PRACTICES OF J.H. WARE TRUCKING INC.

Decided: June 6, 1997

By decisions served October 25, 1995, the ICC established procedural schedules in these proceedings. Due dates were extended by subsequent decisions. Petitioners' opening statements were due on May 9, 1997.

By letter filed June 5, 1997, petitioners request a further extension of time to June, 1997, to file their opening statements. Petitioners state that respondent does not oppose the extension request.

The request will be granted and the procedural schedules will be adjusted accordingly.

It is ordered:

1. Petitioners' extension request is granted.
2. Petitioners' opening statement is due on June 9, 1997.
3. Respondent's reply is due on July 9, 1997.
4. Petitioners' rebuttal is due on July 29, 1997.
5. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ On December 29, 1995, the President signed the ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICC Termination Act or the Act). Effective January 1, 1996, the Act abolished the Interstate Commerce Commission (ICC) and transferred various ICC functions to a newly created Surface Transportation Board (Board), including the resolution of issues in motor carrier undercharge proceedings, 49 U.S.C. 13709-13711.

² These proceedings are not consolidated. A single decision is being issued for administrative convenience.