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SEC

SERVICE DATE – LATE RELEASE AUGUST 29, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42094

PCI TRANSPORTATION, INC.

v.

FORT WORTH & WESTERN RAILROAD COMPANY

Decided: August 29, 2005

On August 8, 2005, PCI Transportation, Inc. (PCI), filed a complaint against Fort Worth & Western Railroad Company (FWWR) alleging that FWWR has been engaging in unreasonable demurrage practices. PCI seeks the refund of demurrage charges that have been assessed and collected, damages, attorney fees, and interest. Additionally, PCI requests injunctive relief.

On August 29, 2005, FWWR and PCI filed a stipulated motion requesting that the due date for FWWR to respond to PCI's complaint be extended until September 9, 2005. The parties agree that the requested extension is appropriate and will not unduly delay the proceeding. The extension request is reasonable and will be granted.

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

It is ordered:

1. The due date for FWWR's response to PCI's complaint is extended to September 9, 2005.
2. This decision will be effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary