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SEC

SERVICE DATE – LATE RELEASE FEBRUARY 28, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42060 (Sub-No. 1)

NORTH AMERICA FREIGHT CAR ASSOCIATION

v.

BNSF RAILWAY COMPANY¹

Decided: February 28, 2005

In a decision served on January 6, 2005, the parties were instructed to notify the Board in writing by February 25, 2005, if they had reached an impasse with respect to any discovery dispute. In a letter filed on February 25, 2005, BNSF Railway Company (BNSF) seeks to extend the deadline for notifying the Board of any unresolved discovery disputes to March 4, 2005. In separate letters filed on February 25, 2005, North America Freight Car, and intervenors National Industrial Transportation League and American Chemistry Counsel, concur with BNSF's request. The parties state that they have been in contact and are hopeful that they will resolve any disputes by March 4, 2005. The parties do not believe that this extension will affect the March 22, 2005 due date for discovery responses.

The requested extension is reasonable. Accordingly, the request will be granted, and the date for notifying the Board of unresolved discovery disputes will be extended to March 4, 2005.

It is ordered:

1. BNSF's request to extend the date for notifying the Board of an impasse between the parties with regard to any discovery disputes to March 4, 2005, is granted.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ Effective January 20, 2005, The Burlington Northern and Santa Fe Railway Company changed its name to BNSF Railway Company.