

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42069

DUKE ENERGY CORPORATION

v.

NORFOLK SOUTHERN RAILWAY COMPANY

Decided: August 8, 2002

In a decision served on July 26, 2002, the procedural schedule in this proceeding was suspended, and the parties were directed to complete outstanding discovery matters and to submit a revised procedural schedule. By joint motion filed on August 7, 2002, complainant Duke Energy Corporation and defendant Norfolk Southern Railway Company request that the procedural schedule be reestablished.¹ The parties state that they are in the process of completing outstanding discovery matters and have agreed on due dates for the remainder of the procedural schedule. The joint request to establish a new schedule for the filing of reply and rebuttal statements will be granted.

It is ordered:

1. The joint request is granted.
2. The procedural schedule for the filing of reply and rebuttal statements in this proceeding is as follows:

September 27, 2002
November 19, 2002

Reply statements due.
Rebuttal statements due.

¹ A decision that included both a protective order and a procedural schedule was served on February 5, 2002. The procedural schedule was subsequently extended by joint request of the parties in a decision served on April 5, 2002. The parties filed their opening statements under that schedule on May 24, 2002.

3. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary