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SEC

SERVICE DATE - LATE RELEASE FEBRUARY 3, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 32419 (Sub-No. 1)

CONSOLIDATED RAIL CORPORATION  
— ACQUISITION OF CONTROL AND MERGER —  
PITTSBURGH, CHARTIERS & YOUGHIOGHENY RAILWAY COMPANY

(ARBITRATION REVIEW)

Decided: February 3, 1999

By petition filed on February 2, 1999, Mr. T.P. Swish requests that the Board further extend the deadline for filing an appeal of the decision of an arbitrator under 49 CFR 1115.8 to March 1, 1999. Mr. Swish alleges that he needs additional time to retain counsel to represent him in the appeal.

This is Mr. Swish's second request for an extension. By decision served on December 31, 1998, Mr. Swish was granted an extension until February 1, 1999, in order to give him additional time to procure counsel. Mr. Swish's instant request was filed one day late. Under these circumstances, an additional extension of two weeks from the service date of this decision will be granted. This should provide adequate time for Mr. Swish to seek and obtain counsel as he had already previously been granted additional time. Any appeal by Mr. Swish of the pertinent arbitration decision must be filed no later than February 17, 1999.

It is ordered:

1. The deadline for filing appeals under 49 CFR 1115.8 is extended to February 17, 1999.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary