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SEC

SERVICE DATE - LATE RELEASE MAY 10, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33853

CEMEX USA—PETITION FOR DECLARATORY ORDER—THE
BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY

Decided: May 10, 2000

The Board instituted this declaratory order proceeding and issued a procedural schedule in a decision served on April 10, 2000. On May 8, 2000, Cemex USA (Cemex) and The Burlington Northern and Santa Fe Railway Company (BNSF) filed a joint motion seeking an extension of the procedural schedule. Cemex and BNSF state that the extension is necessary because action on a Cemex discovery request, served on BNSF on April 24, 2000, was not completed until May 8, 2000. The parties request that the due date for Cemex's opening statement be extended 14 days, from May 10 to May 24, 2000, and that the remainder of the procedural schedule be similarly extended. The extension request is reasonable and will be granted.

It is ordered:

1. The joint request to extend the previously adopted procedural schedule is granted as follows: (1) Cemex's opening statement is due by May 24, 2000; (2) BNSF's reply statement is due by June 23, 2000; and (3) Cemex's rebuttal statement is due by July 13, 2000.

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary