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SEC

SERVICE DATE - JULY 30, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34509

KAW RIVER RAILROAD, INC.–ACQUISITION AND OPERATION
EXEMPTION–THE KANSAS CITY SOUTHERN RAILWAY COMPANY

Decided: July 29, 2004

On June 4 and 14, 2004, respectively, the Brotherhood of Locomotive Engineers & Trainmen, a Division of the Rail Conference, International Brotherhood of Teamsters (BLET), and the United Transportation Union (UTU) filed petitions to revoke an acquisition and operation exemption that was the subject of a notice filed by Kaw River Railroad, Inc. (KRR), on May 25, 2004. By decision served on July 16, 2004, BLET and UTU were granted an extension of time until August 2, 2004, to supplement their petitions to revoke, with replies due August 23, 2004.

On July 26, 2004, UTU filed a motion requesting a further extension of time until August 16, 2004, to supplement its petition to revoke. Counsel for UTU states that, due to unexpected matters arising beyond his control, he will not be able to meet the August 2, 2004 deadline for submitting UTU's supplemental petition. On July 27, 2004, counsel for BLET filed a letter also requesting that the deadline for its supplemental petition be extended to August 16, 2004, with replies due September 8, 2004. BLET's counsel adds that counsel for KRR and The Kansas City Southern Railway Company concur in the request.

The requests for an extension of time are 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 deadline for submission by UTU and BLET of supplemental petitions to revoke in this proceeding is extended until August 16, 2004.
2. The due date for submission of replies to the supplemental petitions to revoke is extended to September 8, 2004.

3. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary