

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388 (Sub-No. 90)

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION
(Buffalo Rate Study)

Decision No. 5

Decided: August 10, 2000

By petition filed August 4, 2000, the Erie-Niagara Rail Steering Committee (ENRS) has requested a 30-day extension of the due date for filing comments in response to reports filed by CSX¹ and NS² on July 14, 2000, in connection with the first full-year review to be undertaken as part of the Board's Buffalo Rate Study. In its extension request, ENRS states that it has asked applicants for additional waybill data and that, in the event the carriers agree to provide the information, it needs the additional time to evaluate the traffic studies and prepare comments. In separate replies filed August 8, 2000, CSX and NS state that, although they oppose ENRS's request for supplemental information and other relief, they do not object to the extension request.³

Because it is not opposed, and because it will not unduly delay the procedural schedule, ENRS's extension request will be granted.⁴

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ CSX Corporation and CSX Transportation, Inc. are referred to as CSX.

² Norfolk Southern Corporation and Norfolk Southern Railway Company are referred to as NS.

³ CSX states that it does not object to a 30-day extension for ENRS, provided that it is given 30 days to reply. CSX notes that its counsel, relying on the published schedule, have made other commitments in September.

⁴ CSX's request for a 30-day period to reply will also be granted. NS's reply will be due the same time as CSX's.

It is ordered:

1. The procedural schedule applicable to the comments to be filed in connection with the first full-year review to be undertaken as part of the Buffalo Rate Study is revised to read as follows: Comments from parties other than CSX and NS are due by September 13, 2000; and CSX's and NS's replies to comments are due by October 13, 2000.

2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary