

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42088

WESTERN FUELS ASSOCIATION, INC., AND
BASIN ELECTRIC POWER COOPERATIVE

v.

BNSF RAILWAY COMPANY

Decided: August 30, 2005

By a request filed on August 29, 2005, Western Fuels Association, Inc., and Basin Electric Power Cooperative (collectively, WFA) seek to modify the procedural schedule set by the Board in a decision served on March 21, 2005. Specifically, WFA requests that the due date for rebuttal statements in this proceeding be extended from September 16, 2005, to September 30, 2005. WFA states that BNSF Railway Company (BNSF) does not oppose this request.

WFA states that, since BNSF filed its reply statement on July 20, 2005, BNSF has submitted two errata filings, the most recent of which was filed last week. According to WFA, the extension is needed to allow it sufficient time to respond to BNSF's reply statement, as modified by the two errata filings.

WFA's unopposed request for an extension of the due date for rebuttal statements in this proceeding is reasonable and will be granted as set forth below.

It is ordered:

1. The request for modification of the procedural schedule is granted. Rebuttal statements will be due on September 30, 2005.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary