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SERVICE DATE – LATE RELEASE MAY 18, 2011

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. EP 558 (Sub-No. 14)

RAILROAD COST OF CAPITAL—2010

Decided: May 18, 2011

This decision grants a request to revise the procedural schedule in this proceeding.

By a request filed on May 17, 2011, the Western Coal Traffic League (WCTL) seeks an extension of the procedural schedule established by the Board in a decision served on February 22, 2011. WCTL seeks to extend the filing deadline for statements of other interested parties from May 19, 2011, to June 2, 2011. WCTL also requests an extension of time for rebuttal statements by the railroads, changing the deadline from June 8, 2011, to June 22, 2011. WCTL states that the Association of American Railroads has advised WCTL that it does not oppose this extension request.

WCTL seeks this extension for three reasons: (1) a staff member of the consulting firm that WCTL employs for cost-of-capital matters unexpectedly passed away on Thursday, May 12, 2011; (2) the procedural schedule established by the Board in this proceeding provides 20 days for reply statements, which is less than the period of time allocated in past cost-of-capital proceedings; and (3) an extension of nine to eleven days would cause comments to be due during the Memorial Day Holiday.

WCTL's request to extend the procedural schedule will be granted. The deadlines proposed by WCTL for the remainder of this proceeding will be adopted.

It is ordered:

1. WCTL's request to revise the procedural schedule is granted.
2. Statements of other interested persons are due by June 2, 2011. Rebuttal statements by the railroads are due by June 22, 2011.
3. This decision is effective on its date of service.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.