



DECISION ID NO.: 43680  
 DECIDED DATE: 3/6/14  
 SERVICE DATE: 3/6/14  
 APPROVED: [Signature]

BEFORE THE  
 SURFACE TRANSPORTATION BOARD

235548  
 ENTERED  
 Office of Proceedings  
 March 4, 2014  
 Part of  
 Public Record

Office of  
 Proceedings



FINANCE DOCKET NO. 35790

**CAPITOL CORRIDOR JOINT POWERS AUTHORITY  
 AND NATIONAL RAILROAD PASSENGER CORPORATION  
 - PETITIONS FOR DECLARATORY ORDER -  
 PRIIA SECTION 209 COST ALLOCATION METHODOLOGY IMPLEMENTATION**

**JOINT MOTION TO AMEND THE PROCEDURAL SCHEDULE**

Counsel for Capital Corridor Joint Powers Authority and National Railroad Passenger Corporation (collectively, the "Parties") submitted a Joint Notice of Intent to Initiate a Proceeding for Declaratory Order ("Joint Notice of Intent") dated December 9, 2013, which presented to the Board a disagreement between the Parties over the implementation of the methodology for cost application approved by the Board in its Decision dated March 13, 2013 (Docket No. FD 35571), and requested that the Board adopt the Parties procedures established for petitions not otherwise covered in its regulations, 49 C.F.R. § 1117.1, and for evidence and discovery, 49 C.F.R. Part 1114, and that the Board establish the procedural schedule as set forth in the Joint Notice of Intent. The Board issued a Decision and Order on December 30, 2013, among other things, adopting the procedural schedule as set forth in the Joint Notice of Intent.

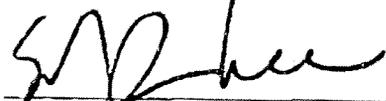
The Parties subsequently submitted a Joint Stipulation and Amended Procedural Schedule ("Joint Stipulation") dated January 15, 2014, requesting that the Board extend their deadline to file simultaneous Petitions for Declaratory Orders setting forth the Parties' respective cases in chief (the "Petitions") to January 21, 2014, and that the Parties' Petitions be served upon each other by electronic mail and regular mail by January 17, 2014. The Board issued a

Decision and Order adopting the amended procedural schedule as set forth in the Joint Stipulation on January 16, 2014.

The Parties have now agreed to amend the procedural schedule as follows in order to accommodate scheduling issues and conflicts, and because discovery is taking longer than anticipated. As a result, the Parties jointly request that the Board adopt the following amended procedural schedule:

- The February 28, 2014 deadline for discovery (pursuant to the Board's procedures at 49 C.F.R. Part 1114), and an opportunity to utilize the Board's mediation services is extended to April 30, 2014.
- The March 14, 2014 deadline to file reply papers is extended to May 30, 2014.

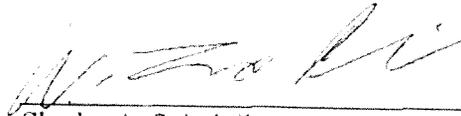
Respectfully submitted,



Mark S. Landman  
Sophia Rhee  
Landman Corsi Ballaine & Ford P.C.  
120 Broadway  
27th Floor  
New York, New York 10271  
(212) 238-4800  
Email: [mlandman@lcbf.com](mailto:mlandman@lcbf.com)  
[sree@lcbf.com](mailto:sree@lcbf.com)

Counsel for National Railroad Passenger  
Corporation

Dated: March 4, 2014



Charles A. Spitulnik  
W. Eric Pilsk  
Christian L. Alexander  
Kaplan Kirsch & Rockwell LLP  
1001 Connecticut Avenue, N.W.  
Suite 800  
Washington, DC 20036  
(202) 955-5600  
E-mail: [csputulnik@kaplankirsch.com](mailto:csputulnik@kaplankirsch.com)  
[epilsk@kaplankirsch.com](mailto:epilsk@kaplankirsch.com)  
[calexander@kaplankirsch.com](mailto:calexander@kaplankirsch.com)

Counsel for Capitol Corridor Joint Powers  
Authority