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SEC

SERVICE DATE – DECEMBER 24, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34421

HOLRAIL LLC–CONSTRUCTION AND OPERATION EXEMPTION–
IN ORANGEBURG AND DORCHESTER COUNTIES, SC

Decided: December 23, 2003

By petition filed on November 13, 2003, HolRail LLC (HolRail) seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10901 to construct and operate approximately 2 miles of rail line in Orangeburg and Dorchester Counties, SC. CSX Transportation, Inc. (CSXT), which currently provides service to HolRail's parent company, Holcim (US) Inc. (Holcim), filed a response and first discovery request on December 3, 2003. HolRail's response to the discovery request, which included interrogatories, document requests, and requests for admission, was due on December 18, 2003. Under 49 CFR 1114.31(a), CSXT has until December 28, 2003, to file a motion to compel. On December 23, 2003, CSXT filed a request for an extension of time until January 9, 2004, to file a motion to compel.

In support of its extension request, CSXT indicates that additional time is needed because of its office staffing arrangements involving the personnel involved in this proceeding. According to CSXT, HolRail does not oppose the request for an extension. Under the circumstances, the request is reasonable and will be granted.

It is ordered:

1. The due date for CSXT to file a motion to compel is extended to January 9, 2004.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary