

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33388 (Sub-No. 100)

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

Decided: January 12, 2007

By a request filed on January 12, 2007, Bridgewater Resources, Inc. and ECDC Environmental, L.L.C. (collectively, petitioners) seek an extension of the January 16, 2007 due date for filing a reply to the comments on petitioners' supplemented petition.¹ Respondents Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, NS), CSX Corporation, CSX Transportation, Inc., Conrail Inc., and Consolidated Rail Corporation and other interested parties submitted comments on December 1, 2006. Specifically, petitioners request that the due date be extended 3 weeks, from January 16, 2007, to February 6, 2007.

Petitioners state that they have not yet reached a settlement, but are continuing their discussions with NS, which, if successful, could result in petitioners withdrawing their petition. Petitioners further state that respondents agree that postponing the due date for the reply filing to February 6, 2007, would facilitate settlement discussions. Petitioners state that NS has advised petitioners that neither NS nor the other respondents have any objection to the extension request.

Petitioners' request for an extension of the due date for filing their reply to February 6, 2007, is reasonable and will be granted as set forth below.

It is ordered:

1. The request for modification of the procedural schedule is granted.
2. Petitioners' reply to comments on their supplemented petition is due on February 6, 2007.

¹ The Board's previous decision set January 15, 2007, as the due date. Because January 15 is a federal holiday, the actual due date is January 16, 2007.

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

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary