

HARKINS CUNNINGHAM LLP

Attorneys at Law

David A. Hirsh
202.973.7606
dhirsh@harkinscunningham.com

1700 K Street, N.W.
Suite 400
Washington, D.C. 20006-3804
Telephone 202.973.7600
Facsimile 202.973.7610

235475

ENTERED
Office of Proceedings
February 14, 2014
Part of
Public Record

February 14, 2014

BY E-FILING

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0012

Re: *Application of the National Railroad Passenger Corporation under 49 U.S.C. § 24308(a) – Canadian National Railway Company (Docket No. FD 35743)*

Dear Ms. Brown:

Enclosed for filing in the above-referenced docket please find a Joint Request for Extension of Procedural Schedule, which is being submitted on behalf of National Railroad Passenger Corporation and of Illinois Central Railroad Company and Grand Trunk Western Railroad Company.

Very truly yours,



David A. Hirsh

Counsel for Illinois Central Railroad Company and
Grand Trunk Western Railroad Company

cc: Linda J. Morgan, Esquire
William H. Herrmann, Esquire

EXPEDITED TREATMENT REQUESTED

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 35743

APPLICATION OF THE NATIONAL RAILROAD PASSENGER CORPORATION UNDER
49 U.S.C. § 24308(a) – CANADIAN NATIONAL RAILWAY COMPANY

JOINT REQUEST FOR EXTENSION OF PROCEDURAL SCHEDULE

Linda J. Morgan
Kevin M. Sheys
Nossaman LLP
1666 K Street, N.W., Suite 500
Washington, D.C. 20006
(202) 887-1400

*Counsel for National Railroad Passenger
Corporation*

Paul A. Cunningham
David A. Hirsh
Simon A. Steel
James M. Gunivan
HARKINS CUNNINGHAM LLP
1700 K Street, N.W., Suite 400
Washington, D.C. 20006-3804
(202) 973-7600

*Counsel for Grand Trunk Western Railroad
Company and Illinois Central Railroad
Company*

February 14, 2014

EXPEDITED TREATMENT REQUESTED

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. FD 35743

APPLICATION OF THE NATIONAL RAILROAD PASSENGER CORPORATION UNDER
49 U.S.C. § 24308(a) – CANADIAN NATIONAL RAILWAY COMPANY

JOINT REQUEST FOR EXTENSION OF PROCEDURAL SCHEDULE

By its stamp order served January 17, 2014, the Board adopted the revised procedural schedule for this proceeding jointly proposed by the parties. Under that schedule, opening submissions by both parties are currently due on February 28, 2014.

In their January 17, 2014 joint request for extension of procedural schedule, Applicant National Railroad Passenger Corporation (“Amtrak”) and respondents Illinois Central Railroad Company and Grand Trunk Western Railroad Company (together, “CN”) stated that additional time would likely be necessary to complete discovery reasonably in advance of opening submissions. They stated further that they would meet and confer and report back to the Board by no later than today regarding further modifications to the schedule as may be appropriate.

Based on those discussions, Amtrak and CN hereby request jointly, pursuant to 49 C.F.R. § 1104.7(b), a further 90-day extension of the filing date for opening submissions (based on 60 days further for discovery and 30 days thereafter for those submissions) and a corresponding adjustment of the subsequent dates in the procedural schedule, so that the schedule shall be as follows:¹

¹ In view of the imminence of the February 28 filing date, Amtrak and CN request

May 29, 2014	Due date for opening submissions by both parties;
July 2, 2014	Due date for rebuttal submissions by both parties;
August 4, 2014	Due date for opening briefs of both parties;
August 25, 2014	Due date for reply briefs of both parties.

WHEREFORE, Amtrak and CN respectfully request that the Board extend by 90 days (until May 29, 2014) the due date for filing of opening statements by both parties, and that it adjust correspondingly as shown above all subsequent dates in the procedural schedule adopted by the Board in this proceeding.

Respectfully submitted,



Linda J. Morgan
Kevin M. Sheys
Nossaman LLP
1666 K Street, N.W., Suite 500
Washington, D.C. 20006
(202) 887-1400

Counsel for National Railroad Passenger Corporation

Paul A. Cunningham
David A. Hirsh
Simon A. Steel
James M. Guinivan
HARKINS CUNNINGHAM LLP
1700 K Street, N.W., Suite 400
Washington, D.C. 20006-3804
(202) 973-7600

Counsel for Grand Trunk Western Railroad Company and Illinois Central Railroad Company

February 14, 2014

expedited treatment by the Board of their extension request.