

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**RAIL FUEL SURCHARGES (SAFE HARBOR)**

**STB Docket No. EP 661 (Sub-No. 2)**

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**REPLY TO UNION PACIFIC'S  
MOTION FOR EXTENSION OF PROCEDURAL SCHEDULE**

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Dated: August 11, 2014

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The Mercury Group filed Initial Comments, herein, on July 11, 2014 (consistent with the original due date, July 14, 2014) and files this Reply pleading in response to the "Motion for Extension of Procedure Schedule" filed by Union Pacific Railroad Company ("UP") on July 7, 2014, with "Expedited Consideration Requested".

The Mercury Group does not oppose UP's request for an extension of time from September 15 to October 15, 2014. However, the principal reason given by UP for the requested extension of time is:

Several parties went beyond the basic focus on the safe harbor and submitted extensive comments urging the Board to adopt new, burdensome rules governing the use of fuel surcharges, or to prohibit entirely the use of fuel surcharges. UP cannot respond to this unexpectedly broad range of issues by September 15.

UP Motion, *herein*, 8/7/2014, at p. 2.

The Board's invitation to Comment on specific fuel indexing and safe harbor questions concluded with the broad invitation that:

Parties are also encouraged to comment on any other matter that they believe bears on whether the safe harbor should be modified or removed.

Decision, *herein*, 5/22/2014, at p. 3.





<u>Code Desc</u>	<u>Filed By</u>	<u>Address</u>	<u>Email</u>	<u>Filed For</u>
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Party Of Record	Canter, Thomas C	4 West Meadow Lark Lane # 100 Littleton, CO 80127-2798 Tel: (303) 979-2798 Fax: (303) 973-1848	<a href="mailto:Tom@Nationalcoaltransportation.Org">Tom@Nationalcoaltransportation.Org</a>	National Coal Transportation Association
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Party Of Record	Gordon, Randall C	1250 Eye St Nw, Ste 1003 Washington, DC 20005-3922 Tel: 202-289-0873 Fax: 202-289-5388		National Grain And Feed Association
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