

EXPEDITED CONSIDERATION REQUESTED**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
August 8, 2014
Part of
Public Record

CANADIAN PACIFIC RAILWAY)	
COMPANY, ET AL. – CONTROL –)	Finance Docket No. 35081 (Sub-No. 2)
DAKOTA, MINNESOTA & EASTERN)	
RAILROAD CORP., ET AL.)	
)	

JOINT MOTION TO MODIFY THE PROCECURAL SCHEDULE

The State of South Dakota acting by and through its Department of Transportation (“South Dakota” or “State”) and Canadian Pacific Railway Company (“CP”) file this joint motion asking the Board to issue an order modifying the procedural schedule by extending all dates as indicated herein, and in support hereof the parties state as follows:

1. The current procedural schedule calls for the State to file its Petition supplement today (August 8, 2014) and for CP to file its reply to that supplement on September 11, 2014.
2. The parties request that the current due dates be extended for two weeks. Under this revised schedule, the State’s Petition supplement would be due on August 22, 2014, and the CP’s reply would be due on September 25, 2014.
3. This request is a product of a meeting between the State and CP last night, and reflects the need to adjust the schedule in light of ongoing issues involving the State and CP.

4. The parties respectfully request the Board waive the requirements of 49 C.F.R. §1104.7(b). Since both CP and the State agree to this extension, waiver of the rule will not prejudice any party.

5. The parties also request that, as necessary, the Board enter the extension order nunc pro tunc.

Respectfully submitted,

STATE OF SOUTH DAKOTA ACTING
BY AND THROUGH ITS
DEPARTMENT OF
TRANSPORTATION

Karla L. Engle
Special Assistant Attorney General
South Dakota Department of
Transportation
700 E. Broadway Ave.
Pierre, SD 57501-2586
(605) 773-3262

John H. LeSeur
/s Daniel M. Jaffe
Slover & Loftus LLP
1224 Seventeenth Street, N.W.
Washington, D.C. 20036
(202) 347-7170

Counsel for the State of South Dakota
acting by and through its Department of
Transportation

Dated: August 8, 2014

CANADIAN PACIFIC RAILWAY CO.

/s Terence M. Hynes
Matthew J. Warren
Hanna M. Chouest
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005
(202) 736-8000

Counsel for Canadian Pacific Railway
Company

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of August, 2014, I served copies of the forgoing on all parties of record to this proceeding by U.S. Mail, postage prepaid.

/s Daniel M. Jaffe