

BEFORE THE
SURFACE TRANSPORTATION BOARDENTERED
Office of Proceedings
August 4, 2015
Part of
Public RecordTOTAL PETROCHEMICALS & REFINING
USA, LLC

Complainant,

v.

Docket No. NOR 42121

CSX TRANSPORTATION, INC.

Defendant.

CSXT'S REPLY TO TPI'S REQUEST TO ALTER 49 C.F.R. § 1104.13 DEADLINE

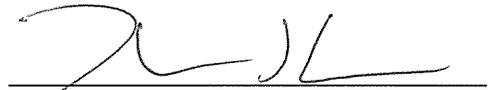
On July 31, 2015, Total Petrochemicals & Refining USA, Inc. ("TPI") filed a Petition for Reconsideration and Clarification of the Board's July 24, 2015 decision directing the parties to file supplemental evidence ("Supplemental Evidence Decision"). In that Petition, TPI asked the Board to require CSX Transportation, Inc. ("CSXT") to respond to its Petition within seven calendar days—just a third of the 20-day period that the Board's regulations provide for replies to petitions for reconsideration. *See* 49 C.F.R. § 1104.13(a). TPI's unilateral demand that the Board ignore its regulations and impose an arbitrarily short time for CSXT to reply should be rejected.¹

Because the Supplemental Evidence Decision requires supplemental and compliance evidence to be filed by September 22, 2015, CSXT does agree with TPI that it

¹ CSXT notes that TPI did not consult with CSXT before proposing this expedited briefing schedule, and indeed that TPI did not inform CSXT that it had any concerns about the Supplemental Evidence Decision before it served CSXT with the Petition for Reconsideration at 4:38 PM on Friday July 31.

is important for the Board to rule on TPI's Petition promptly. To that end, CSXT does not plan to take the full 20 days provided by § 1104.13(a) and instead plans to file its Reply to that Petition no later than Wednesday, August 12. This date is eight days earlier than the deadline that the regulations allow.

Respectfully submitted,



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Dated: August 4, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of August 2015, I caused a copy of the foregoing Reply to TPI's Request to Alter 49 C.F.R. § 1104.13 Deadline to be served via email and first-class U.S. mail upon:

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