

**BEFORE THE
SURFACE TRANSPORTATION BOARD

EX PARTE 766**

ENTERED
Office of Proceedings
May 24, 2021
Part of
Public Record

JOINT PETITION FOR RULEMAKING—ANNUAL REVENUE ADEQUACY
DETERMINATIONS

MOTION FOR EXTENSION OF TIME

Union Pacific Railroad Company, Norfolk Southern Railway Company, and the U.S. operating affiliates of Canadian National Railway Company (“CN”) (collectively “Joint Carriers”) hereby respectfully request a 30-day extension of time to file their reply in this proceeding. Pursuant to the Board’s February 4, 2021 decision, replies are currently due on June 16, 2021. Joint Carriers request that this deadline be extended to Friday, July 16, 2021.

Joint Carriers are diligently working to prepare their reply comments. However, additional time is needed to provide a complete response to the arguments made by interested parties in opening comments—particularly the economic arguments made by the Joint Shippers and the Western Coal Traffic League / Seminole Electric Cooperative, Inc. (collectively “WCTL/SECI”), whose filings are accompanied by expert reports. An additional thirty (30) days would allow time for Joint Carriers to coordinate with their expert witnesses to provide the Board with a thorough and complete response to the expert reports filed by the Joint Shippers and WCTL/SECI.

The brief 30-day extension of time requested in this Motion would not prejudice any party, particularly when compared to the length of time

interested parties had to respond to Joint Carriers' proposal. Joint Carriers filed their Petition on September 1, 2020, and opening comments were ultimately not due until May 17, 2021 (a span of 258 days). Even if calculated from the time Joint Carriers provided additional workpapers on February 22, 2021, interested parties still had 12 weeks (84 days) to respond to Joint Carriers' proposal. The requested extension is modest and would ensure the Board has the information needed to make a well-informed decision in this proceeding.

For these reasons, Joint Carriers respectfully request that the Board extend the time allowed for submitting its reply in this proceeding to Friday, July 16, 2021.

Respectfully submitted,

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Dated: May 24, 2021