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November 10, 2017

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Office of Proceedings
November 13, 2017
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Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: Docket No. NOR-42154, *Monticello Farm Service, Inc. v. CSX Transportation, Inc.*

 GRANTED Office of Proceedings	DECISION ID NO.: <u>46147</u>
	DECIDED DATE: <u>11-17-17</u>
	SERVICE DATE: <u>11-17-17</u>
	APPROVED: <u>[Signature]</u> Acting Director
	☐

Dear Ms. Brown:

In a procedural decision served on October 3, 2017 in the above proceeding, the Board adopted a schedule for completion of discovery and the filing of evidence and argument.

Complainant Monticello Farm Service, Inc. (MFS) hereby respectfully requests an extension of 30 days of all dates in that filing schedule. If this request were to be granted, the procedural schedule would be as follows:

Completion of discovery	December 18, 2017
MFS opening evidence	January 17, 2018
CSXT reply evidence	February 15, 2018
MFS rebuttal evidence	March 7, 2018

Justification for the requested extension is the failure of CSX Transportation, Inc. (CSX) to have timely issued a Right of Entry for the MFS track consultant to enter onto the subject rail line for inspection as the basis for an evidentiary filing. It is recognized that CSX may have been pre-occupied with other matters before the Board during the time for inspection of the subject rail line. Nevertheless, track inspection is deemed to be essential for development of MFS's evidence.

I have been authorized by CSX Counsel, Lou Gitomer, to state that CSX does not oppose this requested extension.

THOMAS F. MCFARLAND

Ms. Cynthia T. Brown, Chief

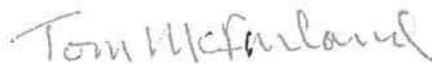
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The first item in the existing procedural schedule is completion of discovery on November 17, 2017.

Please advise.

Very truly yours,



Thomas F. McFarland
*Attorney for Monticello
Farm Service*

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