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SEC

SERVICE DATE - AUGUST 12, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42081

DYNO NOBEL INC.

v.

KANE PIPE LINE PARTNERS, L.P.

Decided: August 11, 2003

On June 16, 2003, Dyno Nobel Inc. (Dyno) filed a complaint with the Board challenging certain rate increases made by Kaneb Pipe Line Partners, L.P. (Kaneb) with respect to pipeline shipments of anhydrous ammonia.

In a decision served July 1, 2003, the Board granted Kaneb's motion for an extension of time to file its answer to the complaint until August 1, 2003. On that date, Kaneb filed its answer and also a motion to dismiss Count I of the complaint.

By a motion filed on August 8, 2003, Dyno requests an extension, until September 12, 2003, of the August 21, 2003 deadline for filing its reply to Kaneb's motion to dismiss. In support of its extension request, Dyno states that it will need the additional time because the motion to dismiss raises factual and legal issues that will require a substantial investment of time to prepare a proper response. Dyno notes that its responses to Kaneb's discovery requests are also due in August, and that the same individuals will be involved in both matters. Dyno also reports that Kaneb does not oppose the extension request.

Dyno has shown good cause for its extension request, and it will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The deadline by which Dyno must file its reply to Kaneb's motion to dismiss is extended to September 12, 2003.

2. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary