

EXPEDITED CONSIDERATION REQUESTED

BEFORE THE
SURFACE TRANSPORTATION BOARD



Office of
Proceedings

DECISION ID NO.: 45465
DECIDED DATE: 9/21/16
SERVICE DATE: 9/22/16
APPROVED: Rachel Campbell
Director

TOTAL PETROCHEMICALS & REFINING USA, INC.

Complainant

v.

CSX TRANSPORTATION, INC.

Defendant

Docket No. NOR 42121

**MOTION FOR EXTENSION OF TIME TO FILE
PETITIONS FOR RECONSIDERATION AND TECHNICAL CORRECTIONS**

Total Petrochemicals & Refining USA, Inc. ("Total") hereby requests a 20-day extension of time to file petitions for reconsideration and technical corrections in the above-captioned proceeding. Currently, the petitions are due September 24, 2016.¹ Under this proposal, the petitions will be due on October 24, 2016. CSXT has authorized Total to represent that CSXT does not object to this motion. **Total requests expedited consideration of this motion because the current due date is in two weeks.**

The proposed due date reflects the complexity of the Board's decision on the complaint in this proceeding. The decision is the third involving a primarily carload Stand-Alone Cost (SAC) proceeding. And this proceeding involves a stand-alone railroad (SARR) that is comparable in size to the largest SARR ever presented. Two Board members filed opinions expressing concern about complexity of this proceeding.²

¹ 49 C.F.R. § 1115.3(e) (requiring filing of petitions for reconsideration within 20 days after service of an entire Board action); *Pub. Serv. Co. v. Burlington N. & Santa Fe Ry.*, STB Docket No. 42057, slip op. at 2 (STB served Dec. 14, 2004) (prescribing a 20-day filing period for petitions to correct technical and computation errors).

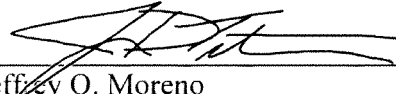
² *Total Petrochemicals & Refining USA, Inc. v. CSX Transp., Inc.*, STB Docket No. 42121, slip op. at 46-48 (STB served Sept. 14, 2016).

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Also, the proposed extension is consistent with extension requests that the Board has granted in previous proceedings. Specifically, the Board has granted 20-day extensions for the filing of petitions for reconsideration and technical corrections in SAC cases of similar size and complexity.³

For the foregoing reasons, Total respectfully requests that the Board extend the deadline for filing petitions for reconsideration and technical corrections to October 24, 2016. Total requests expedited consideration because the petitions are currently due in two weeks.

Respectfully submitted,



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September 20, 2016

³ See *Sunbelt Chlor Alkali P'shp v. Norfolk S. Ry.*, STB Docket No. 42130 (STB served July 2, 2014) (granting request for 20-day extension); *E.I. DuPont de Nemours & Co. v. Norfolk S. Ry.*, STB Docket No. 42125 (STB served Oct. 9, 2014) (granting request for 20-day extension).

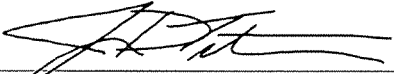
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CERTIFICATE OF SERVICE

I hereby certify that this 20th day of September 2016, I served a copy of the foregoing via e-mail and first class mail upon:

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