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SEC

SERVICE DATE - LATE RELEASE FEBRUARY 11, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42058

ARIZONA ELECTRIC POWER COOPERATIVE, INC.

v.

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY  
AND UNION PACIFIC RAILROAD COMPANY

Decided: February 11, 2004

In this case Arizona Electric Power Cooperative, Inc. (AEPCO), challenges the joint rates charged by The Burlington Northern and Santa Fe Railway Company and Union Pacific Railroad Company for transporting unit-train movements of coal from mines at North Tipple and Lee Ranch, NM, to AEPCO's Apache Generating Station in Cochise, AZ. On January 30, 2004, AEPCO filed a motion for an extension of time to file supplemental rebuttal evidence. AEPCO seeks an extension of the due date from February 24, 2004, until April 2, 2004. AEPCO cites the heavy workload of its counsel and consultants, both of whom have several coal rate complaint proceedings pending before the Board. Defendants replied in opposition to the motion on February 3, 2004, asking the Board to grant only a 2-week extension instead.

In the interest of developing an adequate record, AEPCO's request for an extension of time to file its evidence is granted.

It is ordered:

1. AEPCO's motion is granted.
2. AEPCO's supplemental rebuttal evidence is due on April 2, 2004.

3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary