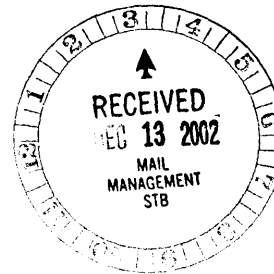


206859

BEFORE THE
SURFACE TRANSPORTATION BOARD



OTTER TAIL POWER COMPANY)
Complainant,)
v.)
THE BURLINGTON NORTHERN AND)
SANTA FE RAILWAY COMPANY)
Defendant.)

ENTERED
Office of Proceedings
DEC 16 2002
Part of
Public Record

Docket No. NOR 42071

JOINT MOTION FOR PROCEDURAL SCHEDULE

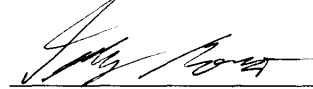
Complainant, Otter Tail Power Company ("Otter Tail") and Defendant, The Burlington Northern and Santa Fe Railway Company ("BNSF"), hereby request the Board to establish a new procedural schedule in this case. The previous *procedural* schedule was suspended by a Board Order served on May 30, 2002, at the request of the parties, pending the Board's resolution of motions to compel discovery filed by both parties. The Board resolved those discovery disputes in a decision served on November 15, 2002 and directed the parties to meet and propose a new procedural schedule.

Otter Tail and BNSF have conferred and hereby ask the Board to establish the following procedural schedule for this case:

Complete Responses to Discovery	Wednesday, April 30, 2003
Filing of Opening Evidence	Friday, June 13, 2003
Filing of Reply Evidence	Monday, September 8, 2003
Filing of Rebuttal Evidence	Thursday, October 23, 2003

In accordance with their agreement, Otter Tail and BNSF hereby ask the Board to approve and impose the foregoing procedural schedule. Counsel for BNSF has authorized counsel for Otter Tail to file this Motion on behalf of both parties.

Respectfully submitted,



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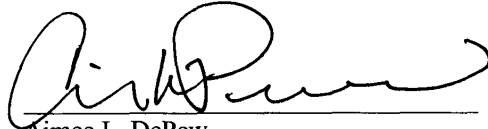
Attorneys for Defendant

December 13, 2002

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of December, 2002, I served a copy of the foregoing JOINT MOTION FOR PROCEDURAL SCHEDULE by Hand Delivery to counsel for Defendant at the following address:

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Aimee L. DePew