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EXPEDITED CONSIDERATION REQUESTED

August 8, 2003

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VIA HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

AUG 08 2003

Part of
Public Record



Re: STB Docket No. 42081, Dyno Nobel Inc.
v. Kaneb Pipe Line Partners, L.P.

Dear Secretary Williams:

Enclosed for filing in the above-referenced proceeding please find an original and ten (10) copies of the Unopposed Motion for Extension of Time of Dyno Nobel Inc.

Please date stamp the extra copy of this cover letter and the filing and return them to our messenger. Thank you for your assistance in this matter.

Respectfully submitted,

K.A.E.

Kendra A. Ericson
An Attorney for Dyno Nobel, Inc.

KAE/jck
Enclosure
cc: Parties of Record

DYNO NOBEL INC.,	)	
	)	
Complainant	)	
	)	
v.	)	Docket No. 42081
	)	
KANEB PIPE LINE PARTNERS, L.P.	)	
	)	
Defendant.	)	
	)	

COMES NOW, Dyno Nobel, Inc. (“DNI”), by and through its counsel, and submits this Motion For an Extension of Time to and including September 12, 2003, within which to Reply to the Motion to Dismiss submitted by Kaneb Pipe Line Partners, L.P. (“Kaneb”) in this proceeding.

DNI filed its complaint on June 16, 2003. Pursuant to an agreement between the parties, the Board granted Kaneb's motion for an extension of time to file its answer until August 1, 2003.

On August 1, 2003, Kaneb filed its answer, and also a motion to dismiss Count I of the complaint. Under 49 C.F.R. § 1104.13(a), DNI's reply to the motion to dismiss is due twenty days later, on August 21, 2003.

EXPEDITED CONSIDERATION REQUESTED

The motion to dismiss, though focused on Count I, raises factual and legal issues that will require a substantial investment of time in order to prepare a proper response. Previously-scheduled vacations and other commitments during August on the part of various individuals whose participation in the preparation of the response is important further complicate the task for DNI, as does the fact that DNI's responses to Kaneb's August 1 discovery requests are also due on August 21, and gathering the information sought by those requests involves many of the same individuals as does the preparation of DNI's reply to the motion to dismiss.

The Board in its discretion may extend any time period "upon request and for good cause shown." 49 C.F.R. § 1104.7(b). DNI respectfully submits that the foregoing circumstances constitute good cause for the modest, 22-day extension of time it has requested.

Expedited processing of this Motion is requested because Dyno Nobel must know well before the current deadline of August 21, 2003, whether additional time will be available.

For the foregoing reasons, Dyno Nobel respectfully requests that the Board issue an order extending the time for filing a Reply to the Motion to Dismiss to September 12, 2003.

EXPEDITED CONSIDERATION REQUESTED

Counsel for Kaneb have authorized the undersigned to state that Kaneb does not oppose the granting of this motion.

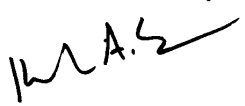
Respectfully submitted,

DYNO NOBEL INC.

By: Robert Bingham, Esq.
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Dated: August 8, 2003

Attorneys for Complainant

EXPEDITED CONSIDERATION REQUESTED

CERTIFICATE OF SERVICE

Pursuant to 40 C.F.R. § 1113.3, I hereby certify that on this 8th day of August, I caused a copy of the foregoing Motion for Extension of Time to be served by overnight express courier on all parties of record in this proceeding, addressed as follows:

Kaneb Pipe Line Partners, L.P.
2435 North Central Expressway
Richardson, TX 75080

C.F. Industries Inc.
One Salem Lake Drive
Long Grove, IL 60047

and by hand delivery on designated outside counsel, as follows:

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