

**VanNess
Feldman**
ATTORNEYS AT LAW

ORIGINAL

A PROFESSIONAL CORPORATION
1050 Thomas Jefferson Street N.W.
Washington, D.C. 20007-3877
(202) 298-1800 Telephone
(202) 338-2416 Facsimile
www.vnf.com

Seattle, Washington
(206) 623-9372

268 918
ENTERED
Office of Proceedings

SEP 15 2003

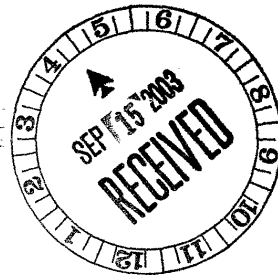
Part of
Public Record

Kathrine L. Henry
(202) 298-1824
klh@vnf.com

September 15, 2003

VIA HAND DELIVERY

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



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 copies of the Joint Motion For Extension of Time to File a Motion to Compel Discovery of Kaneb Pipe Line Partners, L.P. and Dyno Nobel Inc.

Please acknowledge receipt of the enclosed by stamping and returning to our Paralegal the enclosed duplicates of this filing.

Sincerely,

Kathrine L. Henry
Kathrine L. Henry *RA*

Enclosures

208918

ENTERED
Office of Proceedings
SEP 15 2003
Part of
Public Record

COMES NOW, Dyno Nobel Inc. (“DNI”) and Kaneb Pipe Line Partners, L.P. (“Kaneb”),¹ by and through their respective counsel, and submit this Joint Motion For an Extension of Time to File a Motion to Compel Discovery, if Kaneb believes such a motion is necessary.

On June 16, 2003, DNI filed with the Surface Transportation Board (“Board”) a complaint against Kaneb, challenging certain rate increases. On June 25, 2003, DNI submitted its initial discovery requests to Kaneb. On August 1, 2003, Kaneb served its set of initial discovery requests on Dyno Nobel, and partially responded to DNI’s initial discovery requests.

On August 21, 2003, Kaneb and DNI submitted a joint motion to the Board requesting an extension of time to September 4, 2003, for DNI to complete its responses to Kaneb's August 1 initial discovery requests, and to September 15, 2003, for Kaneb to file a motion to compel DNI's response to Kaneb's initial discovery requests, if such a

¹ DNI and Kaneb have stipulated that Kaneb Pipe Line Operating Partnership, L.P. is included as a defendant.

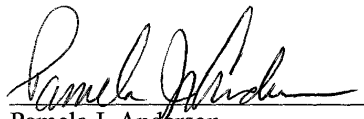
motion became necessary. The Board agreed to these requests in a decision dated August 26, 2003.²

On August 22, September 4 and September 5, 2003, DNI responded to Kaneb's initial discovery requests. The parties are attempting to resolve certain discovery issues without resort to a motion to compel; however, a brief amount of additional time is needed for counsel to consult with their clients and conclude those discussions.

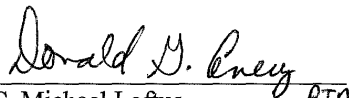
Section 1104.7(b) of the Board's Rules of Practice permit extensions of time upon a showing of "good cause." DNI and Kaneb hereby jointly request a one-week extension of time to September 22, 2003, for Kaneb to file a motion to compel DNI to respond to Kaneb's initial discovery requests, if such a motion becomes necessary, in order to conclude the parties' discussions to resolve certain discovery issues.

WHEREFORE, in consideration of the above and foregoing, DNI and Kaneb respectfully request that the Board issue an order extending the time for Kaneb to file a motion to compel DNI's answers to Kaneb's initial discovery requests, if such a motion is warranted, to September 22, 2003.

Respectfully submitted,



Pamela J. Anderson
Kathrine L. Henry
Angela Addison Freeman
Van Ness Feldman, P.C.
1050 Thomas Jefferson Street, N.W.
7th Floor
Washington, D.C. 20007-3877
(202) 298-1800

 PJA

C. Michael Loftus
Donald G. Avery
Kendra A. Ericson
Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, D.C. 20036
(202) 347-7170

² Dyno Nobel Inc. v. Kaneb Pipe Line Partners, L.P., STB Docket No. 42081 (served Aug. 26, 2003) ("August 26 Decision").

ATTORNEYS FOR KANEB

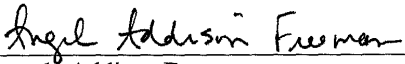
ATTORNEYS FOR DNI

Dated: September 15, 2003

CERTIFICATE OF SERVICE

Pursuant to Rule 1104.12 of the Surface Transportation Board's Rule on Service of Pleadings and Papers, I hereby certify that I have this day served a copy of the foregoing document by first-class U.S. mail, postage prepaid, on all parties of record in this proceeding, Docket No. 42081.

Dated at Washington, D.C., this 15th day of September 2003.


Angela Addison Freeman

C. Michael Loftus
Donald G. Avery
Kendra A. Ericson
Slover & Loftus
1224 Seventeenth Street, N.W.
Washington, D.C. 20036-3003
Counsel for Dyno Nobel Inc.