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December 4, 2003

209541



Via HAND DELIVERY

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

PUBLIC VERSION

Re: Arizona Public Service Co. and PacifiCorp v. The Burlington Northern and Santa Fe Railway Company, STB Docket No. 41185

Dear Secretary Williams:

Enclosed for filing in the captioned docket, please find the original and ten copies of the public version of the parties' Joint Motion for Extension of Procedural Schedule. The parties request expedited consideration of this Joint Motion.

Please date stamp the extra copy of the referenced pleading and return it with our messenger. If you have any questions regarding this matter, please contact the undersigned.

Sincerely,

C. Michael Loftus, III

C. Michael Loftus
Counsel for Complainants

Linda S. Stein

Linda S. Stein
Counsel for Defendant

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Expedited Consideration Requested

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

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SURFACE TRANSPORTATION BOARD**

ARIZONA PUBLIC SERVICE COMPANY,
AND PACIFICORP,

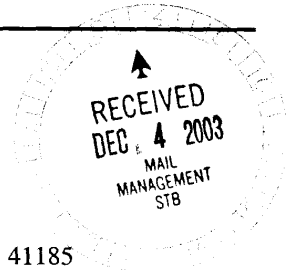
Complainants,

V.

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY

Defendant.

Docket No. 41185



**JOINT MOTION FOR EXTENSION
OF PROCEDURAL SCHEDULE**

Pursuant to 49 C.F.R. § 1117.1, Complainants Arizona Public Service Company (“APS”) and PacifiCorp (collectively “APS/PacifiCorp”) and Defendant, The Burlington Northern and Santa Fe Railway Company (“BNSF”), hereby jointly move for an approximately six-week extension in the procedural schedule established in the above-referenced matter by an order served October 30, 2003. Under the existing schedule, discovery will close on December 12, 2003. The reasons for the requested modification to the procedural schedule are as follows:

1. The parties were involved in good faith negotiations to settle the case until mid-November, 2003. To avoid unnecessary expense, the parties did not undertake discovery while those negotiations were ongoing. Consequently, the parties did not begin to pursue discovery in

this reopened proceeding until just a few weeks before the December 12, 2003 scheduled close of discovery.

2. {

}

For these reasons, the parties jointly propose that the procedural schedule in this proceeding be modified and that the following deadlines be substituted for those currently in effect:

January 20, 2004	Discovery Completed
February 27, 2004	Complainants file opening evidence
April 9, 2004	Defendant files reply evidence
April 27, 2004	Complainant files rebuttal evidence

Given the imminent deadline for close of discovery in the current schedule, the parties also request expedited consideration of this motion.

Respectfully submitted,

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