

EXPEDITED CONSIDERATION REQUESTED

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

221230
221231
221232

E.I. DUPONT DE NEMOURS AND COMPANY)

Complainant,)

v.)

CSX TRANSPORTATION, INC.)

Defendant.)

Docket Nos NOR 42099, 42100
and 42101

MOTION FOR EXTENSION OF PROCEDURAL SCHEDULE

Complainant, E I du Pont de Nemours and Company ("DuPont") hereby requests a two week extension in the procedural schedule for the above-captioned cases. Defendant, CSX Transportation, Inc. ("CSXT"), has authorized DuPont to state that CSXT consents to this request. **Due to the short time period involved, DuPont requests expedited consideration.**

Pursuant to the procedural schedule for rate cases proceeding under the Three-Benchmark approach adopted in *Simplified Standards for Rail Rate Cases*, Ex Parte No. 646 (served Sept. 5, 2007) ("*Simplified Standards*"), both parties are to submit opening evidence in all three of these cases on January 28, 2008. Pursuant to that same procedural schedule, the period for completing discovery in those cases ended on December 31, 2007.

Due to the volume of documents produced by DuPont and the difficulties of coordinating document production with over 40 people in multiple locations over the Christmas and New Year's holiday period, DuPont was unable to complete its document production to CSXT until January 9, 2008, despite making all reasonable and diligent efforts to do so. DuPont accordingly seeks to extend the procedural schedule by two weeks to permit the parties a

meaningful opportunity to analyze materials produced in discovery prior to the filing of evidence. If granted, this request would extend the date for opening evidence to February 11, 2008.

WHEREFORE, for the foregoing reasons, DuPont requests that the Board extend by two weeks all remaining dates applicable to these cases by the procedural schedule adopted in *Simplified Guidelines*.

Respectfully submitted,



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January 10, 2008

Certificate of Service

I hereby certify that I have on this 10th day of January 2008, served a copy of the foregoing Motion for Extension of Procedural Schedule on Paul Moates and Paul Hemmersbaugh, Sidley and Austin, Washington, D.C. 20005, via regular mail and email.

A handwritten signature in black ink, appearing to read 'Jeffrey O. Moreno', is written over a horizontal line.

Jeffrey O. Moreno