

**BEFORE THE
SURFACE TRANSPORTATION BOARD
DOCKET NO. FD 36496**

ENTERED
Office of Proceedings
September 23, 2021
Part of
Public Record

**APPLICATION OF THE NATIONAL RAILROAD PASSENGER
CORPORATION UNDER 49 U.S.C. § 24308(e) – CSX
TRANSPORTATION, INC. AND NORFOLK SOUTHERN
CORPORATION**

JOINT MOTION FOR EXTENSION OF PROCEDURAL SCHEDULE

CSX Transportation, Inc. (“CSXT”), Norfolk Southern Railway Company (“NSR”), and the National Railroad Passenger Corporation (“Amtrak”), respectfully move the Surface Transportation Board (“Board”) for a brief extension of the procedural schedule. The parties are jointly moving for a two-week extension of all deadlines for submitting evidence, which corresponds to a two-week extension of the discovery period that was ordered earlier this week by Administrative Law Judge Thomas McCarthy.

The Board adopted a procedural schedule for this proceeding in its Decision served on August 6, 2021. Pursuant to that procedural schedule, discovery was to end on September 20, 2021, and evidentiary filings were to commence thirty days later on October 20, 2021. The Board’s August 6 Decision assigned Judge McCarthy to handle all discovery matters. On September 21, 2021, Judge McCarthy extended the discovery period for two weeks, with the consent of all parties. The discovery period will now end on October 4, 2021. The parties have agreed to ask the Board for a corresponding two-week extension of all subsequent deadlines in the

procedural schedule. The requested procedural schedule is illustrated in the following table:

	Original schedule	Proposed schedule
Discovery period ends	September 20, 2021	October 4, 2021 ¹
CSXT and NSR opening evidence	October 20, 2021	November 3, 2021
Amtrak reply evidence	November 19, 2021	December 3, 2021
CSXT and NSR rebuttal evidence	December 9, 2021	December 23, 2021
Proposal(s) on hearing format	December 16, 2021	December 30, 2021

¹ This deadline has already been extended by Judge McCarthy.

For these reasons, the parties jointly move the Board to adopt the schedule proposed above.

Respectfully submitted,

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Dated: September 23, 2021

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of September 2021, a copy of the foregoing Joint Motion for Extension of Procedural Schedule was served by email or U.S. mail on the service list for Finance Docket No. 36496.

/s/ Matthew J. Warren

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