

SERVICE DATE – MARCH 25, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35219

UNION PACIFIC RAILROAD COMPANY—  
PETITION FOR DECLARATORY ORDER

Decided: March 25, 2009

On February 18, 2009, Union Pacific Railroad Company (UP) filed a petition for declaratory order seeking to have the Board determine the extent of its common carrier obligation to quote rates for new, lengthy movements of chlorine, a toxic inhalation hazard, through High Threat Urban Areas (HTUAs).<sup>1</sup> By notice served on March 10, 2009, and published in the Federal Register on March 13, 2009 (74 FR 10991-92), the Board instituted a declaratory order proceeding and established a procedural schedule, in which replies to UP's petition and comments were due by March 31, 2009, and UP's rebuttal and reply to comments were due by April 20, 2009.<sup>2</sup>

In a motion filed on March 20, 2009, the Transportation Security Administration (TSA) requests an extension of the deadline for filing comments to April 10, 2009. TSA states that it needs the additional time to review how the complex issues raised by UP's petition relate to TSA regulations and policies and to coordinate its comments with other components within the Department of Homeland Security.

The request is reasonable. Accordingly, the deadline for interested parties to file replies to UP's petition and comments will be extended to April 10, 2009. Correspondingly, UP's rebuttal and reply to comments will be due on April 30, 2009.

It is ordered:

1. TSA's motion for an extension of time to file written comments is granted.
2. Replies to UP's petition and comments are due by April 10, 2009.
3. UP's rebuttal and reply to comments are due by April 30, 2009.

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<sup>1</sup> As UP refers to them, HTUAs are defined by the TSA at 49 CFR 1580.3.

<sup>2</sup> Also on March 10, 2009, the Board served a separate decision issuing a protective order in this proceeding.

4. This decision is effective on its date of service.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan  
Acting Secretary