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SEC

SERVICE DATE - AUGUST 12, 2004

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34424¹

CANADIAN NATIONAL RAILWAY COMPANY
AND GRAND TRUNK CORPORATION
— CONTROL —
DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY,
BESSEMER AND LAKE ERIE RAILROAD COMPANY,
AND THE PITTSBURGH & CONNEAUT DOCK COMPANY

Decision No. 8

Decided: August 11, 2004

By motion (designated NCFO-1) filed July 21, 2004, the National Conference of Firemen & Oilers - SEIU (NCFO) asks that the Board issue an order directing Canadian National Railway Company (CN) to show cause why it should not be sanctioned for misrepresenting to the Board material facts regarding the impact on employees represented by NCFO of the transaction that was authorized by the Board in Decision No. 7 (served April 9, 2004).

By letter filed August 10, 2004, CN advises that it is presently in discussions with NCFO that may lead to a settlement that would resolve the issues raised in the NCFO-1 motion. CN asks that the time for replying to the NCFO-1 motion be extended for seven days, or until August 17, 2004. CN advises that counsel for NCFO has indicated to counsel for CN that NCFO would not object to an extension of seven days while CN and NCFO continue discussions aimed at such a settlement.

The request for an extension of the due date for filing a reply to the NCFO-1 motion is, under the circumstances, reasonable, and the extension sought by CN will therefore be granted.

This action will not affect either the quality of the human environment or the conservation of energy resources.

¹ This decision embraces: STB Finance Docket No. 34424 (Sub-No. 1), Duluth, Winnipeg and Pacific Railway Company — Trackage Rights — Duluth, Missabe and Iron Range Railway Company; and STB Finance Docket No. 34424 (Sub-No. 2), Duluth, Missabe and Iron Range Railway Company — Trackage Rights — Duluth, Winnipeg and Pacific Railway Company.

It is ordered:

1. The due date for filing a reply to the NCFO-1 motion is extended to August 17, 2004.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary