

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42084

CF INDUSTRIES, INC. v. KANEB PIPE LINE PARTNERS, L.P.  
and KANEB PIPE LINE OPERATING PARTNERSHIP, L.P.

Decided: September 16, 2004

In a decision served August 12, 2004, the Board ordered Kaneb Pipe Line Partners, L.P. and Kaneb Pipe Line Operating Partnership, L.P. (collectively, Kaneb), to reduce the rates charged to CF Industries, Inc. (CFI), for the pipeline transportation of anhydrous ammonia to the level the Board previously prescribed in CF Industries Inc. v. Koch Pipeline Company, L.P., STB Docket No. 41685 (STB served May 9, 2000), aff'd sub nom. CF Industries, Inc. v. STB, 255 F.3d 816 (D.C. Cir. 2001). The Board also asked for more information to determine whether to vacate the prescription for future transportation, and established a procedural schedule for the submission of pleadings.

By a joint motion filed September 15, 2004, Kaneb and CFI ask for an extension of the due dates for filing reply and rebuttal evidence. The parties explain that a prerequisite to Kaneb releasing confidential material is that this material be handled pursuant to a protective order.<sup>1</sup> The parties ask that, once a protective order is in place, CFI be allowed to file its reply evidence 14 days later, and that Kaneb be allowed to file its rebuttal 7 days thereafter.

Good cause exists to grant the proposed extensions, and the motion will be granted. The decision granting Kaneb's motion for a protective order was served on September 16, 2004. Accordingly, CFI's reply evidence will be due on September 30, and Kaneb's rebuttal will be due on October 7.

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

It is ordered:

1. The deadline for CFI to file its reply evidence is extended until September 30, 2004.

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<sup>1</sup> By motion filed September 13, 2004, Kaneb sought a protective order under 49 CFR 1104.14(b). On that date, Kaneb also submitted a public version of its opening evidence and argument as well as a confidential version of that pleading.

2. The deadline for Kaneb to file its rebuttal is extended until October 7, 2004.
3. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary