

February 10, 2025

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VIA E-FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0001

ENTERED
Office of Proceedings
February 10, 2025
Part of
Public Record

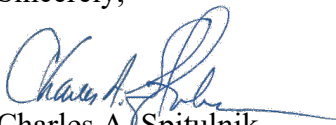
Re: *The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—
in King County, WA*, STB Docket No. AB-6 (Sub-No. 380X)

Dear Ms. Brown:

I have attached for e-filing King County, Washington's (1) Motion for Leave to File Request for Extension of Time, Time for Filing Having Otherwise Expired and (2) Motion to Extend Time for Reply in the above-referenced proceeding.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Charles A. Spitulnik

Attachments

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-6 (Sub-No. 380X)

**THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY
—ABANDONMENT EXEMPTION—
IN KING COUNTY, WA**

**MOTION OF KING COUNTY, WASHINGTON FOR LEAVE TO FILE REQUEST FOR
EXTENSION OF TIME, TIME FOR FILING HAVING OTHERWISE EXPIRED**

Communications with respect to this pleading should
be addressed to:

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Counsel for King County, WA

Dated: February 10, 2025

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. AB-6 (Sub-No. 380X)

**THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY
—ABANDONMENT EXEMPTION—
IN KING COUNTY, WA**

**MOTION OF KING COUNTY, WASHINGTON FOR LEAVE TO FILE REQUEST FOR
EXTENSION OF TIME, TIME FOR FILING HAVING OTHERWISE EXPIRED**

King County, Washington (the “County”) seeks leave to file a Motion to Extend Time for Reply to respond to the Petition for Declaratory Order filed on January 28, 2025, by Waverly Hills Club, Inc. in the above-referenced docket. Granting the County’s request will aid the Board in its consideration in these proceedings and will not prejudice Waverly or any other party.

Pursuant to the Board’s regulations at 49 C.F.R. § 1104.7(b), requests for extensions of time are due not less than 10 days before the due date of the filing. Accordingly, a request for extension of time to respond to the Waverly Petition was due Friday, February 7, 2025. Simultaneously with this Motion the County has filed a Motion to Extend Time for Reply to both the Waverly Petition and another Petition for Declaratory Order filed by Raymond Spencer and Lael Spencer (the “Spencers”) on January 30, 2025, in this same proceeding. As discussed in the Motion to Extend Time for Reply, the County proposes a 30-day extension to respond to both the Waverly Petition and the Spencers Petition, which concern the same railbanked line and raise many of the same facts, arguments and claims. While the County’s Motion to Extend Time for Reply is not out of time with respect to the Spencers’ Petition, its request with respect to Waverly’s Petition is.

Granting the County leave to file its Motion to Extend Time for Reply will aid the Board in its consideration in these proceedings, in which multiple parties have raised similar claims and arguments regarding the same railbanked line. Entertaining the County's Motion to Extend Time to Reply will increase administrative efficiency by allowing the Board to review a single response addressing Waverly's and the Spencers' related claims and arguments. Moreover, allowing the County to request an extension one day late with respect to the Waverly Petition along with a timely request for the Spencers Petition will not prejudice either party, since it is likely that the Board will decide these decisions in the same decision, whether or not it grants the County's Motion to Extend Time to Reply.

WHEREFORE, and in view of the foregoing, the County respectfully requests the Board grant it leave to file its simultaneously filed Motion to Extend Time to Reply.

Respectfully submitted,



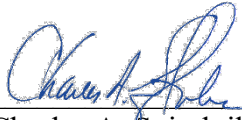
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Counsel for King County, WA

Dated: February 10, 2025

CERTIFICATE OF SERVICE

I hereby certify that I have on the 10th day of February 2025, caused to be served a copy of the foregoing Motion For Leave to File upon all parties of record in this proceeding by email or first-class mail.



Charles A. Spitulnik

Dated: February 10, 2025