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State of California
DEPARTMENT OF JUSTICE



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July 21, 2025

309800

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

ENTERED
Office of Proceedings
July 21, 2025
Part of
Public Record

Re: **Docket No. FD 36868** – Mendocino Railway's Petition for Declaratory Order

Dear Ms. Brown,

Replies to the above-referenced Petition for Declaratory Order (Petition) are currently due on July 22, 2025. The California Coastal Commission (Coastal Commission) respectfully requests a 20-day extension to file a reply to Mendocino Railway's Petition, to August 11, 2025. Because Mendocino Railway did not serve the Coastal Commission with a copy of its Petition, the Coastal Commission only became aware of the Petition and the July 22nd deadline when a third party forwarded a copy of the Petition to its counsel on July 9, 2025.

As discussed in the Petition, the Coastal Commission is involved in multiple active court proceedings with Mendocino Railway in both state and federal court. (See Petition, p. 5, fn. 8; p. 13.) The issues raised in the Petition involve significant questions regarding the Coastal Commission's authority to regulate Mendocino Railway's actions under state and federal law, for which the Commission's input would be valuable to the Surface Transportation Board. For that reason, as well as the potential impact of the STB's decision on the current litigation, the Coastal Commission respectfully requests an opportunity to respond to the Petition in full, through the granting of this short extension to reply, to August 11, 2025.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Tuck".

Patrick Tuck
Deputy Attorney General
Litigation Counsel, California Coastal Commission

Cc: Louise Warren, Chief Counsel, California Coastal Commission (by email only)

CERTIFICATE OF SERVICE

In accordance with 49 C.F.R Section 1104.12, I hereby certify that I have this day served copies of the California Coastal Commission's Request for Extension to reply to Mendocino Railway's Petition for Declaratory Order in Docket No. FD 36868 ("Request") upon all parties of record in this proceeding. Service was accomplished by email service of the Request on July 21, 2025. I also served both parties by U.S. mail on July 21, 2025 at the following addresses:

Crystal M. Zorbaugh
Mendocino Railway
2001 L Street NW
Suite 720
Washington, DC 20036
czorbaugh@mullinslawgroup.net

Sarah G Yurasko
American Short Line and Regional Railroad Association
50 F Street NW
Suite 500
Washington, DC 20001
syurasko@aslrra.org

Executed in Oakland, California on July 21, 2025.

Najaree Hayfron-Osman

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