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Office of Chief Counsel
January 23, 2026
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January 22, 2026

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street S.W.
Washington, DC 20423-0001

Re: STB Docket No. FD 36833 Lampwrights LLC– Construction and Operation
Exemption–In Elk and Jefferson Counties, PA
Lampwrights Reply to Horton Township Board of Supervisors Letter

Dear Chief of Case Administration:

By letter dated January 21, 2026, Horton Township Board of Supervisors submitted a letter that appears to include a request for an extension of unknown duration to the procedural schedule in the above referenced proceeding. To the extent that the Board interprets the Horton Township Board of Supervisors' letter as a request for additional time to respond to the Board's January 22 due date for comments, Lampwrights LLC ("Lampwrights") respectfully requests the Board deny this request because the Board of Supervisors have known and have participated in this proceeding since April 25, 2025. Alternatively, the Board could grant the Board of Supervisors the same extension that the Board granted to the First Apostles' Doctrine Church.

On April 25, 2025, the Board's Office of Environmental Analysis ("OEA") submitted a letter to federal, state, local, and tribal agencies informing those agencies – including Horton Township – of the Lampwrights proposal. According to OEA's record of environmental comments, one of the Horton Township Supervisors communicated with OEA via email and phone calls multiple times on April 28, May 1, 8, and 9 about the Board's environmental review process. In those emails, OEA explains the Board's environmental review process and recommends that the supervisor contact the Board's Rail Customer and Public Assistance Service for further information on the Board's procedures.

On May 22, 2025, the Horton Township Supervisors issued a joint letter to OEA outlining their environmental concerns with the project. The Horton Township Supervisors submitted another joint letter in the docket of this proceeding on December 9, 2025.

On December 10, 2025, serving all parties of record to include Horton Township, Lampwrights submitted a letter to the Board (noting the letters in opposition and summarizing the environmental review process) requesting that the Board establish a procedural schedule.

In a decision served by the Board on December 22, 2025, served on all parties of record including Horton Township, the Board established January 22, 2026, as a deadline for filing replies. That deadline was extended for the First Apostles' Doctrine Church to February 5, 2026, by a decision issued January 21, 2026.

As Lampwrights has previously stated, under 49 C.F.R. § 1104.7(b), the Board has discretion to extend the time period for replies upon request and with good cause. But the Board has rejected a request for an extension of time where a party has participated in earlier phases of a proceeding and when opportunity exists to participate in the future.¹

In this instance, good cause does not exist for the apparent open-ended extension sought by the Horton Township Board of Supervisors. The Board of Supervisors have been involved in this proceeding with OEA and before the Board since April of 2025. In May 2025, OEA recommended to one of the supervisors that he contact the Board's Rail Customer and Public Assistance Service for further information on the Board's procedures. Further, the Board of Supervisors submitted robust comments as an environmental comment and again in this docket. Finally, the Board of Supervisors are on the service list and therefore received the Board's decision establishing January 22, 2026, as the filing deadline.

Yet, the Board of Supervisors is only now considering hiring counsel to participate in this proceeding. It would not be good cause to grant the Board of Supervisors an extension for waiting to hire counsel until after the comment period in this docket has expired.

In addition, OEA is still developing the environmental assessment analyzing the Proposed Line. The formal comment period on the environmental assessment has yet to open. Horton Township and its community members still have time to comment on potential environmental impacts of this project.

Lampwrights respectfully requests that the Board reject the Board of Supervisors' request for an extension because the Supervisors have been involved in this docket since April 2025, have submitted multiple comments, and will be able to offer further comments when OEA issues its environmental analysis. Alternatively, the Board could permit the Board of Supervisors to submit additional comments by February 5, 2025, in the same manner that the Board has granted the First Apostles' Doctrine Church an extension.

Sincerely,



Justin J. Marks
Counsel to Lampwrights LLC

cc: Parties of Record

¹ *The Indiana & Ohio RY Co. – Construction and Operation – Butler, Warren, and Hamilton Counties, OH*, ICC Finance Docket No. 31320, 1990 WL 288245 (decided June 6, 1990).