

SERVICE DATE – JANUARY 28, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36833

LAMPWRIGHTS LLC—CONSTRUCTION AND OPERATION OF A LINE OF
RAILROAD—IN ELK AND JEFFERSON COUNTIES, PA.

Decided: January 28, 2026

On January 21, 2026, the Board of Supervisors for Horton Township, Elk County, Pa. (the Township), filed a letter in response to the petition filed by Lampwrights LLC (Lampwrights) for an exemption from the prior approval requirements of 49 U.S.C. § 10901 to construct a new rail line in Elk and Jefferson Counties, Pa. In the letter, the Township appears to request that the Board extend the deadline for it to reply to Lampwrights’ petition. (Township Letter para. 3.) According to the Township, it has been advised by its solicitor that it should hire specialized legal counsel. (*Id.*) The Township does not request that the deadline be extended to any specific date but states that it cannot act to engage legal counsel until its next meeting on February 11, 2026, and that “[i]t would be an unfair burden . . . not to have the opportunity to engage legal counsel to help [it] identify important objections.” (*Id.*)

On January 23, 2026, Lampwrights filed a reply opposing the Township’s request. Lampwrights argues that an extension is not warranted because the Township has been aware of this proceeding since April 25, 2025, when the Board’s Office of Environmental Analysis (OEA) submitted a letter to state and local governments, including the Township, regarding Lampwrights’ proposed rail construction. (Lampwrights Reply 1.) Lampwrights also notes that the Township has communicated with the Board multiple times about this proceeding. (*Id.* at 1-2.) Lampwrights asks that the Township’s extension request be denied but suggests, in the alternative, that the Board could permit the Township to submit additional comments by February 5, 2025—the date to which an earlier extension request, filed by another party, was granted. (*Id.* at 1-2.)

Under 49 C.F.R. § 1104.7(b), the Board has discretion to grant extensions of time upon request and for good cause. Here, given its longstanding awareness of and participation in this proceeding, the Township has not demonstrated good cause for an extension to an indeterminate date beyond February 11. However, because the reply deadline for another party has already been extended to February 5, 2026, and because Lampwrights consents to extending the reply

deadline for the Township to that same date, the Township will be permitted to file its reply by February 5, 2026.¹

It is ordered:

1. The Township's request is granted in part as described above.
2. The Township's reply to Lampwrights' petition is due by February 5, 2026.
3. This decision is effective on its date of service.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

¹ Comments previously filed by the Township will also be considered as the Board considers the petition. Additionally, the Township will have an opportunity to comment on the draft environmental report once it is issued by OEA. See 49 C.F.R. § 1105.10(a)(4), (b).