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BY E-FILING

Ms. Cynthia T. Brown
Chief, Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

RE: FD 36164, Ulster & Delaware Railway Revitalization Corp. Petition for Declaratory Relief

Dear Ms. Brown:

I am writing on behalf of the Ulster & Delaware Railway Revitalization Corp. ("U&D"), petitioner in the above-captioned matter, in connection with Ulster County, New York's request for a 30 day extension to respond to U&D's Petition.

The County's Motion advises that it was never served with a copy of U&D's Petition contrary to U&D's representations made to the Board in its certificate of service accompanying the Petition. Upon reading that assertion, I checked with my legal assistant who confirmed that we did indeed timely serve the Petition by US Mail on Beatrice Havranek, Esq., Ulster County Attorney. I would have served it by email as well if I had her email address.

As I had advised Ulster County's outside counsel Dan Elliott, U&D would be willing to agree to an extension under certain conditions including a suspension of salvage efforts, an inspection of the line by U&D representatives, and Board-sponsored mediation. Unfortunately, Mr. Elliott was unable to persuade his client about these reasonable requests. I am still willing to engage in discussions with the County when it is ready.

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That aside and as a demonstration of basic fairness, I would be willing to agree to a short extension to allow the County to respond to U&D's substantive arguments. The County seeks a 30 day extension which is too long. I am willing to agree to a 20 day extension from January 24 or until February 13, 2018. I urge the Board to direct the parties to engage in Board-supervised mediation.

Sincerely yours,



John D. Heffner

cc: service list

CERTIFICATE OF SERVICE

I, John D. Heffner, hereby certify that a copy of the foregoing "U&D Railway Revitalization Corp Reply to Motion for Extension of Time" dated January 25, 2018, was sent by U.S. mail to the following in this proceeding.

Beatrice Havranek, Esq.
Ulster County Attorney
244 Fair Street
Kingston, NY 12402

Donn C. Meindertsma, Esq.
Daniel Elliott, Esq.
Conner & Winters, LLP
1850 M Street, NW, Suite 600
Washington, D.C. 20036



John D. Heffner

Dated: January 25, 2018