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ENTERED

Office of Proceedings

October 29, 2013

Part of
Public Record

October 29, 2013

Ms. Cynthia T. Brown, Chief
Section of Administration
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

**RE: *Wichita Terminal Association, et al. v. F.Y.G. Investments, Inc., et al.*
Finance Docket No. 35765**

**Respondents' request for additional time to reply
EXPEDITED CONSIDERATION REQUESTED**

Dear Ms. Brown:

Wichita Terminal Association and related entities filed a Petition for Declaratory Order on October 18, 2013. Pursuant to 49 C.F.R. § 1104.13(a), Respondents' reply is due on November 7, 2013.

Respondents respectfully request, pursuant to 49 C.F.R. § 1104.7(b), 30 additional days in which to respond. Respondents need additional time to consider the arguments Petitioners have now made and determine how best to frame a reply in light of the lengthy record of proceedings that have occurred to date. In addition, Respondents will hire counsel that regularly appears before this Board and needs time to familiarize those attorneys with the evidentiary and procedural background of this dispute. Finally, this request is being made not less than 10 days before the due date. Respondents therefore seek 30 additional days. If this request is granted, Respondents' reply would be due on December 9, 2013. Respondents have sought Petitioners' consent but have not yet heard whether or not Petitioners will or will not consent to this requested extension.

By signing this letter, undersigned counsel certifies that it is simultaneously mailing a copy of this letter to Petitioners' counsel.

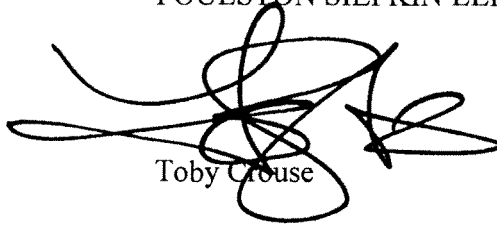
Thank you in advance for your consideration.
concerns.

Please contact me if you have any questions or	
DECISION ID NO.: <u>43449</u>	
DECIDED DATE: <u>11/6/13</u>	
SERVICE DATE: <u>11/6/13</u>	
APPROVED: <u>Rachel O'Connell</u> Director	
 GRANTED	☐
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Very truly yours,

FOULSTON SIEFKIN LLP

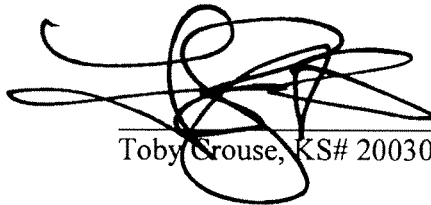


Toby Crouse

TC/dw

Certificate of Service

I hereby certify that I have this day served copies of this document upon all parties of record in this proceeding, by U.S. first-class mail, postage prepaid.



Toby Crouse, KS# 20030