

**Zimmerman,
Pfannebecker,
Nuffort & Albert, LLP**

Attorneys at Law

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22 SOUTH DUKE STREET
LANCASTER, PA 17602
PHONE 717-299-0711
FAX 717-299-1092

ROBERT L. PFANNEBECKER
RICHARD P. NUFFORT
NEIL L. ALBERT
BARRY N. HANDWERGER*
*Also admitted in Maryland

Of Counsel:
S.R. ZIMMERMAN, III
Columbia:
342 Walnut Street
Columbia, PA 17512
Phone 717-684-2665
Lititz:
10 South Broad Street
Lititz, PA 17543
Phone 717-626-2088
Quarryville:
100 East State Street
Quarryville, PA 17566
Phone 717-786-8335
Our File
No:

February 7, 2002

Hon. Vernon Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001



5500-236-2R

Re: 1411 Corporation Abandonment Exemption in Lancaster County, PA

Dear Hon. Williams:

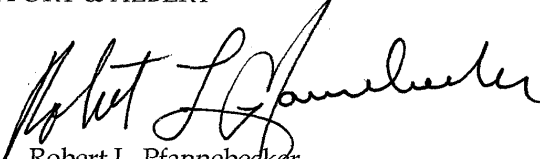
Enclosed please find an original and ten copies of a Motion for Additional Time to Prepare and to Submit a Response or Other Appropriate Pleading in the above-referenced matter for filing, along with a Certificate of Service showing service of this document on the named individuals.

Thank you for your cooperation in this matter.

Very truly yours,

ZIMMERMAN, PFANNEBECKER,
NUFFORT & ALBERT

By


Robert L. Pfannebecker

RLP:pah

Enclosures

Cc: Edward Arnold, Borough of Columbia (w/enclosure)

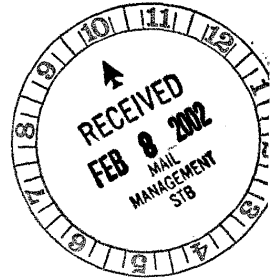
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BEFORE THE SURFACE TRANSPORTATION BOARD

1411 CORPORATION)
ABANDONMENT EXEMPTION) AB-581X (consolidated with
IN LANCASTER COUNTY, PA) AB-529X) 204719



MOTION FOR ADDITIONAL TIME TO PREPARE AND TO SUBMIT
A RESPONSE OR OTHER APPROPRIATE PLEADING

This Motion, seeking thirty (30) days additional time to prepare and submit a response, is on behalf of Borough of Columbia ("Borough").

The major portion of the inactive rail line in dispute in this proceeding lies within the Borough. Continued commitment of this unused rail line to rail use will dramatically and potentially very adversely impact the Borough's land use plans, community development, restoration of Shawnee Run, and decontamination of Shawnee Run and adjacent properties.

Sahd Salvage Company's ("Sahd's") "Petition for Clarification," served on or about November 29, 2001, calls for reopening the "offer of financial assistance" ("OFA") determination for imposition of certain additional conditions. M&H Railroad requested an opportunity to respond. This Board in essence stayed the OFA proceeding, providing that the "due date for closing is extended to a date forty-five (45) days after the Board issues its decision addressing Sahd's Petition for Clarification." Decision served December 4, 2001, at ordering paragraph 2.

In order to make a well-informed and fair presentation to this Board concerning the Borough's position, the Borough has diligently sought information from Sahd Salvage Company concerning its proposed use of the unused and inactive line, as well as to open a dialogue with Sahd Salvage Company to

address the Borough's concerns in connection with the line. By letter dated February 1, 2002, received Monday, February 4, 2002, Sahd Salvage Company has declined to provide any information or otherwise to discuss the matters at issue. This Board has indicated that

"(t)he offer of financial assistance process envisions that a party that acquires a rail line under 49 U.S.C. 10904 continue to provide rail service. Where that is not the case, we will not allow our jurisdiction to shield a railroad, or any other party seeking relief before us, from the legitimate processes of federal, state or local law." The Land Conservancy - - Exemption - - BNSF", F.D. 33389, et al., served May 13, 1998, 1998 STB Lexis 124 at *32-*33.

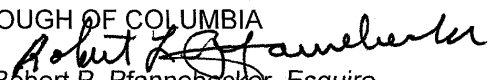
The Borough is now extremely concerned that Sahd Salvage Company in fact is employing the OFA process as nothing more than a means to shield the property in question in this proceeding from the legitimate process of federal, state or local law, at great cost and expense to the citizens of the Borough, and with no countervailing public benefit.

The Borough requests an additional thirty (30) day delay in this proceeding, through March 7, 2002, to prepare and to submit its position. This delay is in part to permit the Columbia Borough Council to consult upon, and approve, the position prior to submission. The delay may also permit Sahd Salvage Company to reconsider its position of refusal to discuss the inactive rail line at issue in this proceeding.

No party is prejudiced by this delay. This line has not been operated for a decade. The switch to the main line is removed. No shipper on the line has requested rail service, or is otherwise rail dependent. No new industry is locating on the line that is rail dependent. There is no reason to foreshorten the opportunity of the Borough to be heard.

Respectfully submitted,

BOROUGH OF COLUMBIA


By: Robert P. Pfannebecker, Esquire
Zimmerman, Pfannebecker, Nuffort
& Albert, LLP
22 South Duke Street
Lancaster, Pennsylvania 17602
Phone: (717) 299-0711

Borough Solicitor

CERTIFICATE OF SERVICE

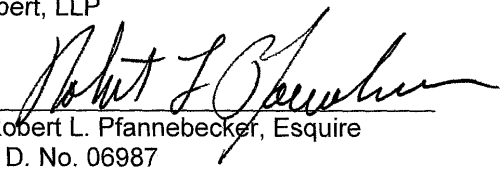
I hereby certify service of the foregoing by US Mail, postage prepaid, first class, on February 7, 2002, upon the following counsel:

Andrew Goldstein, Esquire
McCarthy, Sweeney & Harkaway, P.C.
2175 K Street, N.W., Suite 600
Washington, D.C. 20037 (for M&H/1411)

Jeffery O. Moreno, Esquire
Thomson Hine & Flory
1920 N Street, N.W.
Washington, D.C. 20037 (for Sahd Salvage Company)

Charles H. Montange
426 N.W. 162nd Street
Seattle, WA 98177 (for Shawnee Run Greenway)

Zimmerman, Pfannebecker, Nuffort
& Albert, LLP

By: 

Robert L. Pfannebecker, Esquire
I. D. No. 06987
Attorney for Borough of Columbia

22 South Duke Street
Lancaster, Pennsylvania 17602
(717) 299-0711