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Taro Kusunose
eMail: tkusunose@bpmlaw.com

July 24, 2002

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VIA FEDERAL EXPRESS

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

Re: **STB Docket No. AB-573X, Trinidad Railway, Inc. – Abandonment Exemption – in Las Animas County, CO**

~~STB Finance Docket No. 34087, Trinidad Railway, Inc. – Lease and Operation Exemption – Kern Valley Railroad Company~~

Dear Hon. Williams:

In its decision served on July 16, 2002 in STB Docket No. AB-573X, the Board extended the deadline for the parties to consummate the Board-ordered OFA sale until this Friday, July 26, 2002. This extension was granted in response to our request for a clarification by the Board regarding the assets to be transferred in the sale.

As of this afternoon, Wednesday, July 24, 2002, we have not yet received further notification from the Board regarding the assets to be transferred. Our client has indicated to us that the financial institution which will help fund this \$3,830,697.00 transaction is unable to move forward with a critical loan until it has received a more definitive statement concerning the assets to be transferred.

Accordingly, we hereby respectfully request that the Board extend the deadline for consummation of the transaction until 10 days after the Board's final clarification regarding the assets to be transferred. Such a period should allow our client and its financial institution to

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finalize their arrangements after the Board's clarification, and to close the transaction in a timely manner.

We ask that you please find enclosed, the following items:

- 1) The original and ten (10) copies of this letter;
- 2) A certificate of service;
- 3) An additional copy of the first page of this letter; and
- 4) A stamped, self-addressed envelope.

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If you could please direct your office to send us the additional first page with a "received" stamp, or some other stamp of similar designation, affixed, in the enclosed envelope, it would be greatly appreciated. Please call us with any questions or concerns ((206) 268-8646).

Very truly yours,

Taro Kusunose
Stephen L. Day

Encls.

TK:ltg

cc: Mr. John Reed (via facsimile)
Mr. Fritz Kahn, Esq. (via facsimile and overnight mail)
Mr. John Heffner, Esq. (via facsimile and post)

Certificate of Service



STB Docket No. AB-573X, Trinidad Railway, Inc. – Abandonment Exemption – in Las Animas County, CO

STB Finance Docket No. 34087, Trinidad Railway, Inc. – Lease and Operation Exemption – Kern Valley Railroad Company

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I certify that I have this day served copies of the attached letter from Rail Ventures, Inc. to the Board dated July 24, 2002 upon all parties of records in this proceeding, by fax, except for to Mr. Fritz Kahn, to whom a copy of the attached was served by overnight mail, postage-prepaid, as well as by fax.

DATED this 24th day of July, 2002.

Print Name: Taro Kusunose

(49 C.F.R. § 1104.12; 49 U.S.C. 10321; 5 U.S.C. 553)