

ORIGINAL

LAWRENCE W. BIERLEIN
DOUGLAS M. CANTER
JOHN M. CUTLER, JR.
ANDREW P. GOLDSTEIN
STEVEN J. KALISH
RICHARD D. LIEBERMAN
CHANNING D. STROTHER, JR.

OF COUNSEL
KAREN R. O'BRIEN

LAW OFFICES
McCARTHY, SWEENEY & HARKAWAY, P.C.
SUITE 600
2175 K STREET, N.W.
WASHINGTON, D. C. 20037
(202) 775-5560

FACSIMILE
(202) 775-5574

E-MAIL
MSH@MSHPC.COM

WEBSITE
HTTP://WWW.MSHPC.COM

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

ENTERED
Office of Proceedings

JUL 08 2003

Part of
Public Record



Re: Finance Docket No. 34364
Vermont Railway, Inc. -- Petition for Declaratory Order

Dear Secretary Williams:

We have just received a copy of a Motion for Extension of Time in the captioned proceeding (the "Motion") filed on behalf of the Town of Wallingford, VT ("Wallingford"). Wallingford seeks a 45-day extension of the date for filing a reply to the Petition of Vermont Railway, Inc. ("VTR" or "Petitioner").

Wallingford's Motion is dated July 2, 2003. On July 3, 2003, the Board issued a Decision in response to a virtually identical motion filed by the State of Vermont. The Board's July 3 Decision extended the reply date by 30 days, rather than by the 45 days sought by the State of Vermont.

Wallingford's Motion is almost a carbon-copy of the State of Vermont request for a 45-day extension. Inasmuch as the Board was not persuaded by the State's request to grant more than a 30-day extension and has already extended the due date by 30 days, the Board should deny Wallingford's request.

Respectfully submitted,

Andrew P. Goldstein
Attorney for Vermont Railway, Inc.

cc: All Parties of Record