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Associate General Counsel

UPS NEXT DAY AIR

December 1, 2004



Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001
(202) 565-1674

Re: STB Finance Docket No. 34505

212 685

Dear Mr. Williams:

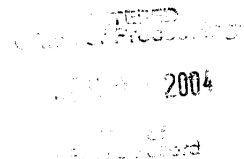
Please find enclosed the original and 10 copies of the United Transportation Union's Petition for Extension of Time in the above-captioned matter. In accordance with prior Board's requirements, we have also enclosed a disk in WordPerfect format.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "D. R. Elliott, III".

Daniel R. Elliott, III
Assistant General Counsel



Enclosure

cc: C. J. Miller, III, General Counsel

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34505

EAST BROOKFIELD AND SPENCER RAILROAD, LLC
– LEASE AND OPERATION EXEMPTION –
CSX TRANSPORTATION, INC.

UNITED TRANSPORTATION UNION'S
PETITION FOR EXTENSION OF TIME

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UNITED STATES DEPARTMENT OF
TRANSPORTATION
2004
Office of
Public Affairs

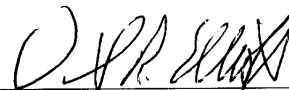
Daniel R. Elliott, III
Associate General Counsel
United Transportation Union
14600 Detroit Avenue
Cleveland, Ohio 44107-4250
Tel: (216) 228-9400
Fax: (216) 228-0937

Attorney for United Transportation Union

United Transportation Union ("UTU") respectfully petitions the Board pursuant to 49 C.F.R. 1117.1 for an extension of time to file its supplemental petition to revoke in accordance with 49 C.F.R. 1121.2. UTU originally filed its Petition to Revoke and corresponding request for discovery pursuant to 49 C.F.R. 1121.2 on October 21, 2004. UTU is permitted to supplement its Petition 45 days after this filing date under this regulation, which would be on December 6, 2004. UTU received the East Brookfield and Spencer Railroad, LLC's ("EB&SR") Responses and Objections to UTU's Request for Production of Documents on November 23, 2004 after the Board had issued a Protective Order on November 18, 2004, which UTU signed and faxed to EB&SR on November 22, 2004. This protective order process resulted in a slight delay of the document production.

The documents requested by UTU resulted in 582 pages of agreements for UTU to review before supplementing its Petition. UTU found it would not have adequate time to properly review these documents by December 6, 2004. As a result, UTU respectfully asks for an extension of time to file its Supplemental Petition to Revoke until December 20, 2004. This request will in no way prejudice EB&SR.

Respectfully submitted,



Daniel R. Elliott, III
Associate General Counsel
United Transportation Union
14600 Detroit Avenue
Cleveland, Ohio 44107
Fax: (216) 228-9400
Tel: (216) 228-0937

Attorney for United Transportation Union

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing United Transportation Union's Petition for Extension of Time has been served this 1st day of December, 2004, via first-class, postage pre-paid mail upon the following:

Betty Jo Christian
Steptoe & Johnson, LLP
1330 Connecticut Ave., N.W.
Washington, DC 20036



Daniel R. Elliott, III