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October 13, 2006

BY FED EX

Attn: Secretary
Surface Transportation Board
1925 "K" Street NW
Suite 700
Washington, DC 20423



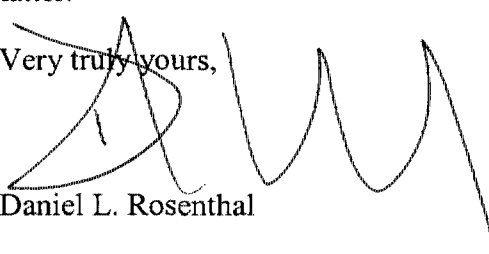
Re: Savannah Port Terminal Railroad, Inc. -- Motion for Declaratory Order
Docket No. FD34920

Dear Secretary:

Enclosed for filing is a Motion of Respondent Capital Cargo, Inc. for Extension of Time to File Responsive Pleading along with a Certificate of Service.

Thank you for your attention to this matter.

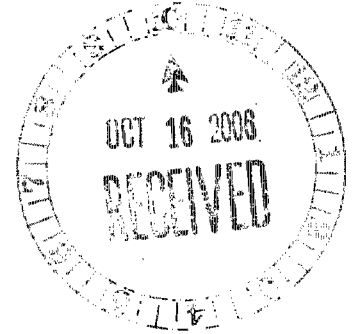
Very truly yours,


Daniel L. Rosenthal

DLR:sms
Enclosures

cc: P. Campbell Ford, Esq. (by fed ex)
Thomas Mahoney, III, Esq.
Ronald C. Berry, Esq.
James T. Kilbreth, Esq.

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Office of Proceedings
OCT 13 2006
Port of
Public Record



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. FD34920

**SAVANNAH PORT TERMINAL RAILROAD, INC. --
PETITION FOR DECLARATORY ORDER**

**MOTION OF RESPONDENT CAPITAL CARGO, INC.
FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

**James T. Kilbreth, Esq.
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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. FD34920

**SAVANNAH PORT TERMINAL RAILROAD, INC. --
PETITION FOR DECLARATORY ORDER**

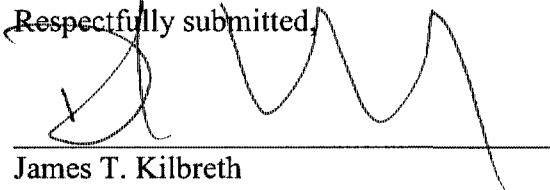
**MOTION OF RESPONDENT CAPITAL CARGO, INC.
FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

Pursuant to 49 C.F.R. § 1104.7, Respondent Capital Cargo, Inc. ("Capital Cargo") respectfully requests an extension of time to and including November 30, 2006, to file its answer to Savannah Port Terminal Railroad, Inc.'s ("SPTR") Petition for Declaratory Order, which would otherwise be due on or about October 22, 2006. The reason for the requested extension is that SPTR's Petition raises substantial and complex issues relating to contracts governing the parties' relationship and the applicability and interpretation of tariffs. In addition, the undersigned counsel are new to this case and require time to gain familiarity with the specific facts and issues in the case, as well as managing commitments in other matters.

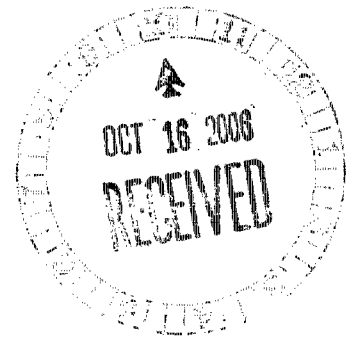
The undersigned counsel have conferred with counsel for SPTR, P. Campbell Ford, Esq., who has not yet stated whether SPTR assents to Capital Cargo's motion.

Dated: October 13, 2006

Respectfully submitted,



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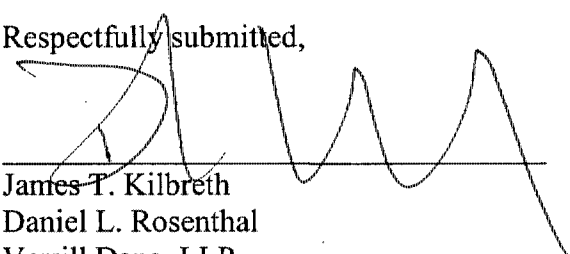
Attorneys for Respondent
Capital Cargo, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been furnished to Secretary,
Surface Transportation Board, 1925 "K" Street NW, Suite 700, Washington, DC 24023,
via federal express, and P. Campbell Ford, Esq., Attorney for Savannah Port Terminal
Railroad, Ford, Miller & Wainer, P.A., 1200 Riverplace Blvd., Suite 600, Jacksonville,
FL 32207 via U.S. Mail this 13th day of October 2006.

Dated: October 13, 2006

Respectfully submitted,



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