

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 30186 (SUB-NO. 3)

**TONGUE RIVER RAILROAD COMPANY, INC. -- CONSTRUCTION AND
OPERATION -- WESTERN ALIGNMENT**

**REQUEST OF TONGUE RIVER RAILROAD COMPANY, INC. FOR EXTENSION OF
TIME TO RESPOND TO PETITIONS FOR RECONSIDERATION**

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Company, Inc.

November 30, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 30186 (SUB-NO. 3)

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**REQUEST OF TONGUE RIVER RAILROAD COMPANY, INC. FOR EXTENSION OF
TIME TO RESPOND TO PETITIONS FOR RECONSIDERATION**

Tongue River Railroad Company, Inc. ("TRRC") hereby requests an extension of time until December 17, 2007 to reply to the November 19, 2007 Petitions for Reconsideration filed in this proceeding by Brown Cattle Company and Senator David E. Wanzenried, and the November 23 Petition for Reconsideration filed by Powder River Basin Resource Council. These Petitions are addressed to the Board's October 9, 2007 Decision issued in this proceeding, authorizing TRRC's construction of the Western Alignment. While apparently submitted earlier to the STB, and prior to the October 29, 2007 due date for the filing of petitions for reconsideration in this proceeding, the above Petitions were not posted on the STB's website until November 19 (Brown Cattle/Wanzenried) and November 23 (Powder River Basin Resource Council). TRRC understands that the delay in the STB's posting of these Petitions was due to the delay in the submission of required filing fees by the Petitioners. Since the posting of the above Petitions for Reconsideration, additional Petitions for Reconsideration filed by Alice Orr and Diamond Cross Ranch LLC were posted on November 26, 2007, presumably indicating that these petitioners have now submitted the required filing fees.

Each of the five pending Petitions are substantively identical to one another. Each raises six distinct arguments as to why the Board's October 9, 2007 Decision should be reconsidered.

At this time, TRRC expresses no position on the Board's acceptance of these Petitions for Reconsideration, and reserves the right to take a position in its reply to the Petitions. TRRC hereby requests, however, that it be given until December 17, 2007 to submit a consolidated reply to all of the five Petitions for Reconsideration posted to date. Consistent with the Board's requirement at 49 CFR 1104.13 that replies be filed within 20 days of the document to which the reply is addressed, this would provide a 20-day reply period that would run from the date of the last-posted petitions, i.e., those posted on November 26. Fixing the due date for a reply on December 17 will also provide a sufficient period for TRRC to address the several substantive issues raised in each of the petitions concerning both the merits of the Board's decision and the scope of the environmental review undertaken in this proceeding.

CONCLUSION

For all of the reasons stated above, TRRC requests that it be provided until December 17 to respond to the five pending Petitions for Reconsideration in this matter.

Respectfully submitted,



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November 30, 2007

CERTIFICATE OF SERVICE

I hereby certify that I have this 30th day of November 2007 served a copy of the foregoing Request for Extension of Time on all parties of record by first class mail, postage prepaid, or more expeditious means.



David H. Coburn