

222143

CNJ Rail Corporation

833 Carnoustie Drive Bridgewater, NJ 08807
Phone (908) 361 - 2435 Email CNJRail@yahoo.com

April 17, 2008

The Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

Re: STB Ex Parte No. 677 - Common Carrier Obligation of Railroads

Dear Acting Secretary Quinlan:

Enclosed for filing in the above-captioned matter, please find CNJ Rail Corporation's Request for an Extension of Time.

Thank you for your assistance.

Sincerely,

Eric S. Strohmeier /s/

Eric S. Strohmeier
Vice President, COO
CNJ Rail Corporation

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**STB Ex Parte No. 677
COMMON CARRIER OBLIGATION OF RAILROADS**

CNJ RAIL CORPORATION

**REQUEST FOR AN EXTENSION OF TIME
(EXPEDITED CONSIDERATION REQUESTED)**

Pursuant to the Notice of the Surface Transportation Board, served February 22, 2008, written testimony of parties interested in participating in the above captioned proceeding was due today. CNJ Rail Corporation ("CNJ") hereby files its request for an extension of time for filing its written comments in this proceeding until **Tuesday, April 22, 2008**. Requests for extensions of time have been granted by the Board, from time to time, when and if there is good cause shown. For the reasons outlined herein below, CNJ respectfully requests an extension of time to file its comments because of a significant event beyond its control.

As the Board may (or may not be) aware, CNJ Rail Corporation has been heavily involved "behind the scenes" with regards to a matter currently before the Board (see AB 103 21 X - Kansas City Southern Railway - Abandonment Exemption - Warren County MS.) There is a significant high water event currently occurring in Mississippi that is directly threatening the right of way in the above captioned proceeding. In addition, material moved by CNJ Rail to Mississippi last year in advance of our corporate affiliate becoming the designated operator of the above captioned line at the conclusion of the OFA process currently underway has required us to divert our attention and resources this week to the moving material out of harms way.

In addition, CNJ has been working with our customer in Mississippi, Foam Packaging, to secure its building from the rising flood waters of the Mississippi River.

Significant Mississippi River Flooding

Currently, Vicksburg and the surrounding area is experiencing the worst flooding since 1973. Currently, the river depth is over 50 feet, nearly 8 feet over flood stage. The River is expected to crest on Saturday, April 19. It is forecasted to reach a depth of 51 feet. The City of Vicksburg this past week has closed and sealed the flood walls surrounding the lower portions of the city. Many locals residents have been displaced by flooding. LeTourneau Industries has laid off 1,300 workers this week. Their facility, located near the end of the line mentioned above, is closed until further notice.

Raymond English, President of Foam Packaging (and one of the Offeror's in the above mentioned proceeding), telephoned the undersigned last week that the river was expected to crest over 49 feet, and that should the river reach that level, water would easily reach the right of way. In addition, the building housing Foam Packaging's mechanical department and additional inventory storage building would be in danger of flooding. That building also was acting as a temporary storage facility for CNJ Rail's material.

There are numerous culverts and bridges along the line would allow river water to pass through the right of way, negatively impacting properties on both sides of the line. A large storm water culvert is located at MP 227. Its sole purpose is to allow water to drain from the Foam Packaging plant site. Conversely, it would easily allow flood water to enter the lower portion of Foam's property.

Flood prevention efforts diverted away resources need to timely complete the filing in this proceeding. In addition, given the now controversial nature of the fore mentioned abandonment proceeding, CNJ wanted to be able to put resources into place that would monitor how the right of way faired, given the controversies surrounding this property. Given all that has gone on with this line, who would have thought it was possible for a significant high water event to also have occurred during this OFA process!

In addition, CNJ has also come to learn that International Paper has recently moved to withdraw from the hearing on April 24. While we do not know the reasons for their decision to withdraw, we do know that their manufacturing facility in Redwood, MS., just north of Vicksburg, sits close to the flood plane of the Yazoo River and Diversion Canal and that rail service to their facility may be temporarily disrupted because the City of Vicksburg has had to close and seal the flood gates protecting the city. The VSOR/KCS rail line to their facility passes through the now sealed passages.

Should the Board like to see, or learn more about this ongoing event, The Vicksburg Post has placed a photo slide show on there website that graphically demonstrates the extensive nature of this event. The web address for the Vicksburg Post is www.vicksburgpost.com . The photo slide show can be viewed at: http://www.vicksburgpost.com/content/current/special_sections/floodpics.html

For the above stated reasons, CNJ respectfully requests that it be granted an extension of time to file its written comments and prays that Board finds its request reasonable in light of the circumstances outlined herein..

On Behalf of CNJ Rail Corporation,

Respectfully Submitted ,

Eric S. Strohmeyer /s/

Eric S Strohmeyer
Vice President, COO
CNJ Rail Corporation
(908) 361 - 2435

Dated: April 17, 2008