

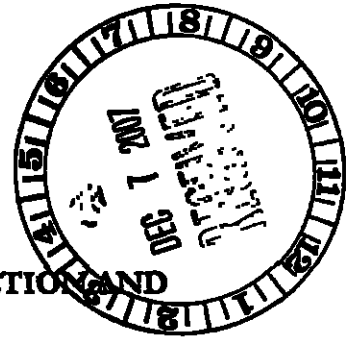
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**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB FINANCE DOCKET NO. 30186 (Sub-No. 3)

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

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



**ENTERED
Office of Proceedings**

DEC 07 2007

**Part of
Public Record**

**Phil and Denise Wood, Ranch Managers
Diamond Cross Ranch
18 Brewster Lane
Birney, MT 59012
Phone: (406) 984-6255
Fax: (406) 984-6271
Email: pdwood@rangeweb.net**

December 7, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC**

STB FINANCE DOCKET NO. 30186 (Sub-No. 3)

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

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

Phil and Denise Wood, Managers of the Diamond Cross Ranch in Birney, Montana (the "Petitioners") hereby respectfully request that the Surface Transportation Board (the "Board") deny the request of the Tongue River Railroad Company, Inc., for an extension of time to respond to Petitions for Reconsideration, filed on November 30, 2007

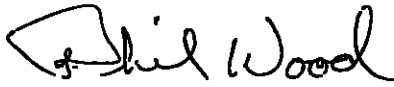
Petitioners' Petition for Reconsideration was timely filed with the Board on October 29, 2007. All parties of record, including counsel for the Tongue River Railroad Company, Inc., (TRRC) were served with copies of the Petition by first class mail on that date. As TRRC concedes in their request, 49 C.F.R. §1104.13 establishes a 20-day deadline for filing a reply to a pleading. The regulation clearly states that the 20-day period starts "after the pleading is filed with the Board," and not as TRRC would argue, after pleadings are posted to a website.

TRRC has been in possession of a copy of the Petitions for approximately five weeks, well beyond the statutory 20-day period for filing a reply. Granting TRRC's request at this late date, after TRRC has already had extensive time to prepare a reply, is contrary to the letter and spirit of the law and is inherently unfair to the Petitioners.

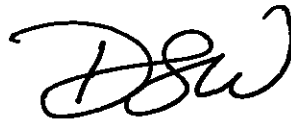
CONCLUSION

For the reasons stated above, the Petitioners respectfully request the Board deny the request of the Tongue River Railroad Company, Inc., for an extension of time to respond to Petitions for Reconsideration.

Respectfully Submitted,

A handwritten signature in black ink that reads "Phil Wood". The signature is written in a cursive style with a large, looped "P" and "W".

Phil Wood

A handwritten signature in black ink that reads "Denise Wood". The signature is written in a cursive style with a large, looped "D" and "W".

Denise Wood

Ranch Managers
Diamond Cross Ranch
18 Brewster Lane
Birney, MT 59012
Phone (406) 984-6255
Fax (406) 984-6271
E-mail: pdwood@rangeweb.net

Certificate of Service

I, Denise S Wood, hereby certify that on 12.7.07, I served copies of the PETITIONER'S RESPONSE TO REQUEST OF TONGUE RIVER RAILROAD COMPANY, INC FOR EXTENSION OF TIME TO RESPOND TO PETITIONS FOR RECONSIDERATION in STB FINANCE DOCKET NO 30186 (Sub-No. 3), on all the parties of record in this proceeding with this document by United States mail

DATE 12.7.07

SIGNATURE DSW