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October 20, 2006

BY FED EX

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

ENTERED
Office of Proceedings

OCT 23 2006

Part of
Public Record



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

Dear Secretary:

I am writing to follow up on the Motion of Respondent Capital Cargo, Inc. for Extension of Time to File Responsive Pleading. Our understanding in talking with Barbara Sadler of your office is that the responsive pleading is considered due twenty days after the Board receives the complaint rather than twenty days after the respondent receives it. Given that the Board received the complaint on October 6, this would make a responsive pleading due on October 26, 2006 rather than October 22 (the date used in our motion).

Nevertheless, we would greatly appreciate hearing from the Board as soon as possible with respect to the motion. Our understanding is that the Board has been informed by counsel for the Petitioner, P. Campbell Ford, Esq., that there is no objection to the motion.

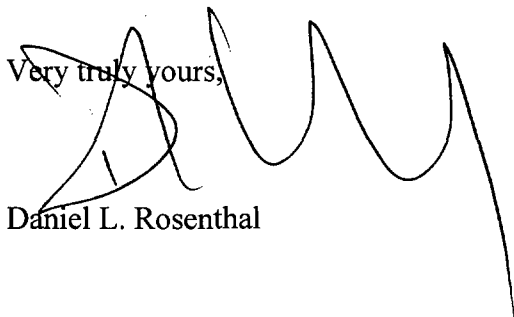
Thank you for your consideration and please do not hesitate to contact me if you have any questions or need any additional information. Please note that we have filed with the Board one copy of this letter pursuant to 49 C.F.R., section 1104.7(b).

I hereby certify that I have this day served copies of this letter on P. Campbell Ford, Esq., Attorney for Savannah Port Terminal Railroad, via federal express.

October 20, 2006

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Very truly yours,



Daniel L. Rosenthal

DLR:sms

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