

CALIFORNIA COASTAL COMMISSION

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September 18, 2020

ENTERED
Office of Proceedings
September 18, 2020
Part of
Public Record

Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington DC 20423

Re: Docket No. FD 36433 – Petition for Declaratory Relief

Dear Ms. Brown:

In its reply to the Coastal Commission's request for an extension, the North Coast Transit Agency asserts that it emailed a copy of its petition to the Coastal Commission. The Coastal Commission did not agree to electronic service.

NCTD also asserts that a copy of its petition was sent via UPS (not U.S. Mail) and was received in the Coastal Commission's office on September 1, 2020. Due to the COVID19 pandemic, the vast majority of Coastal Commission employees are working remotely. In addition, the Coastal Commission has only one Legal Secretary, and that employee has been re-assigned, per an order from Governor Newsom, to contact tracing for the pandemic and is not currently working for the Coastal Commission. The staff who are currently opening the Coastal Commission's mail did not recognize that the UPS package with NCTD's petition was a legal petition because it was not on pleading paper, did not name parties, or in other way look like a typical petition. The Coastal Commission is simply requesting a short extension so that it may respond to the merits of NCTD's petition.

Sincerely,

/s Louise Warren

Louise Warren
Chief Counsel

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**CERTIFICATE OF SERVICE**

In accordance with 49 C.F.R Section 1104.12, I hereby certify that I have served copies of the California Coastal Commission's Request for Extension ("Request") and its Reply to North Coast Transit District's opposition to such extension request ("Reply") in Docket No. FD 36433 – Petition for Declaratory Relief upon all parties of record in this proceeding. Service was accomplished by email service of the Request on September 17, 2020 and email service of the Reply on September 18, 2020. In addition, I served both parties by U.S. mail on September 18, 2020, to the following addresses:

Daniel Elliott
2000 Pennsylvania Avenue NW, Suite 7000
Washington, DC 20006
Email: danelliottiii@outlook.com

William C. Pate
Devaney Pate Morris & Cameron LLP
402 W. Broadway, Suite 1300
San Diego, CA 92101
Email: wpate@dpmclaw.com

Executed in San Francisco, California

Dated: 9/18/202

By: 
Louise Warren