

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**Docket No. AB-441 (Sub-No. 4X)
SAN PEDRO RAILROAD COMPANY, LLC-ABANDONMENT EXEMPTION-IN
COCHISE COUNTY, AZ**

**MOTION OF SONORA-ARIZONA INTERNATIONAL, LLC
FOR LEAVE TO FILE REPLY AND COMMENTS OUT OF TIME**

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Dated: July 26, 2005

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The Sonora-Arizona International, LLC, an Arizona Limited Liability Corporation (the “Sonora”), pursuant to 49 C.F.R. § 1152.25 (d)(5) and 49 C.F.R. § 1117.1 respectfully requests leave to file a reply and comments no later than seven (7) days from today, that is by no later than August 2, 2005. Sonora seeks this leave because such a filing would be beyond the time set by the Board for submitting responses to the petition filed in this matter with respect to abandonment of approximately 76.2 miles of railroad in Cochise County, Arizona (“Petition”). In support of this motion Sonora states as follows:

1. On June 6, 2005 San Pedro Railroad Operating Company, LLC filed the Petition at the Surface Transportation Board (“Board”).
2. On June 24, 2005 the Board served an order relating to the Petition which, among other things, directed that any replies to the Petition had to be filed on or before July 14, 2005 (“Reply Deadline”).
3. Sonora retained the undersigned counsel on July 22, 2005.
4. Immediately subsequent to being retained by Sonora, undersigned counsel reviewed the Board’s docket in this matter and discovered the Reply Deadline.

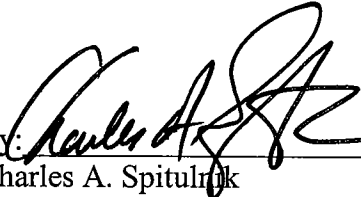
5. Under 49 C.F.R. § 1152.25(d)(5) late filings are accepted in abandonment proceedings upon a showing of good cause. *See generally The Kansas City Southern Railway Company--Adverse Discontinuance Application--A Line Of Arkansas And Missouri Railroad Company*, STB Docket No. AB-103 (Sub-No. 14) (Service Date: March 26, 1999) (When adequate explanations are given the Board will accept late filings for good cause shown under 49 CFR 1152.25(d) (5)). Good cause exists for granting this Motion in that:

- a. The inclusion of Sonora's reply and comments will lead to a decision based on a complete and accurate record with respect to the issues raised in the Petition;
- b. Sonora's principal member is an owner of property and has made investments and commitments to develop property on or near to the line that is the subject of the Petition, and those investments and commitments have relied on the continued presence of rail service;
- c. Undersigned counsel requires additional time to evaluate and assist Sonora in preparing a response to the Petition due to the fact that they have just been retained; and
- d. Permitting Sonora to submit a reply and comments to the Petition is consistent with the public interest and will not prejudice any party.

6. Based on the good cause demonstrated herein, Sonora requests that it be permitted to file its reply and comments within seven (7) days from today, that is by August 2, 2005, which is less than three weeks after the Reply Deadline. Granting the Extension Request will not delay this proceeding as ample time will remain for this proceeding to move forward to a final decision.

WHEREFORE, the Sonora-Arizona International, LLC, an Arizona Limited Liability Corporation respectfully requests the Board to grant it leave to file a reply and comments to the Petition on or before August 2, 2005.

Respectfully submitted,

By: 

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Dated: July 26, 2005

Counsel for SONORA-ARIZONA
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July, 2005, a copy of the foregoing MOTION OF SONORA-ARIZONA INTERNATIONAL, LLC FOR LEAVE TO FILE REPLY AND COMMENTS OUT OF TIME was served by first class mail, postage prepaid, upon:

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