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March 11, 2003

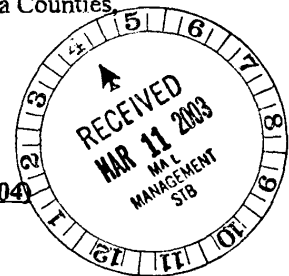
Re: Docket No: AB-556 (Sub No 2X); Railroad Ventures, Inc. - Abandonment Exemption -
Between Youngstown, OH and Darlington, PA in Mahoning and Columbiana Counties,
OH and Beaver County, PA
Docket No: AB-556 (Sub No 2X);
Our File 4431-1-1

Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

ENTERED
Office of Proceedings

BY FACSIMILE (202-565-9004)
MAR 11 2003

Part of
Public Record



Dear Mr. Williams:

Enclosed for filing please find a Response of Railroad Ventures, Inc. to Opposition By CCPR to RVI's Request for Extension of Time filed on behalf of Railroad Ventures, Inc. ("RVI") in the above captioned proceeding.

Copies of this Response of Railroad Ventures, Inc. to Opposition By CCPR to RVI's Request for Extension of Time have been served on all parties of record. Please date stamp and return to the undersigned the additional copy of this transmittal letter in the self addressed, stamped envelope provided.

Very truly yours,

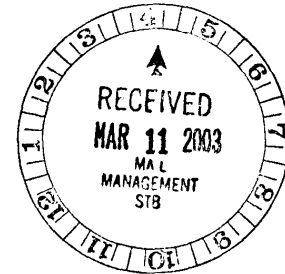
VUONO & GRAY, LLC

Richard R. Wilson
Attorney for Railroad Ventures, Inc

RRW/bab
Enclosures

xc: Railroad Ventures, Inc.
All Parties of Record

**BEFORE THE
SURFACE TRANSPORTATION BOARD**



Docket No. AB-556 (Sub No. 2X)

**RAILROAD VENTURES, INC. - ABANDONMENT EXEMPTION
BETWEEN YOUNGSTOWN, OHIO AND DARLINGTON, PA
IN MAHONING AND COLUMBIANA COUNTY, PA**

**RESPONSE OF RAILROAD VENTURES, INC. TO OPPOSITION BY CENTRAL
COLUMBIANA AND PENNSYLVANIA RAILROAD TO
RVI'S REQUEST FOR EXTENSION OF TIME**

Richard R. Wilson, Esq.
Attorney for Railroad Ventures, Inc.

VUONO & GRAY, L.L.C.
2310 Grant Building
Pittsburgh, PA 15219
(412) 471-1800

Date: March 11, 2003

**ENTERED
Office of Proceedings**

MAR 11 2003

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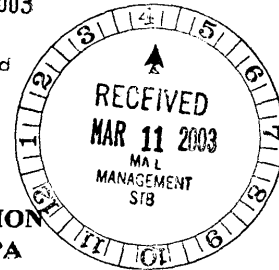
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BEFORE THE
SURFACE TRANSPORTATION BOARDPart of
Public Record

Docket No. AB-556 (Sub No. 2X)

**RAILROAD VENTURES, INC. - ABANDONMENT EXEMPTION
BETWEEN YOUNGSTOWN, OHIO AND DARLINGTON, PA
IN MAHONING AND COLUMBIANA COUNTY, PA**



**RESPONSE OF RAILROAD VENTURES, INC. TO OPPOSITION BY CENTRAL
COLUMBIANA AND PENNSYLVANIA RAILROAD TO
RVI'S REQUEST FOR EXTENSION OF TIME**

Today by facsimile transmission, Railroad Ventures, Inc. ("RVI") received a pleading filed by Central Columbiana and Pennsylvania Railroad Co. ("CCPR") objecting to the extension of time requested by RVI in which to respond to documentation submitted by Columbiana Port Authority ("CCPA") and CCPR seeking confirmation of escrow account expenditures.

RVI is somewhat surprised by this opposition, particularly in view of the fact that the extension requested on behalf of RVI's consultant, Mr. Wehner was due to circumstances beyond his control (i.e. the weather) and merely seeks minimal additional time in which to conclude his audit of escrow account expenditures by a visual inspection and confirmation of work performed by CCPR. Prior to conducting his inspection, Mr.

Wehner will contact CCPR and will sign a release or other waiver of liability requested by CCPR.¹

Mr. Wehner's review of the documentation provided to RVI has identified significant discrepancies, omissions, and noncompliance with STB instructions regarding the expenditures charged to the escrow account.² Due to these problems, prudence and due diligence require that as part of his audit, Mr. Wehner visually inspect and confirm the installation of materials and the work performed which is represented in the invoices and other supporting documents provided to the Board and RVI by CCPA and CCPR. If CCPR did not perform the work or install materials as represented in its invoices, such misrepresentation might well be fraudulent. In this connection, RVI also notes that ultimate responsibility for expenditures from the escrow fund rests with the escrow agent, CCPA, who did not object to RVI's extension request.

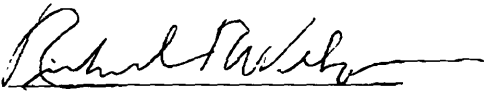
The Board has afforded significant latitude to both CCPA and CCPR for the submission of the materials which Mr. Wehner is now auditing. A full and complete review of that material including an inspection by Mr. Wehner of work performed by CCPR or its contractors will be of assistance to the Board in making its determinations regarding escrow account expenditures. Accordingly, notwithstanding the opposition of CCPR, RVI respectfully requests that the Board approve its request for extension of its filing date to April 11, 2003 for the reasons set forth above.

¹ CCPR's proposal to use FRA inspectors would involve individuals who are unfamiliar with the expense documentation submitted by CCPA and CCPR to the Board and RVI and would delay this proceeding for longer than the extension requested by RVI.

² CCPR fails to note that the STB's "fraud only" standard applies only to funds expended in accordance with the three directives mandated by the Board in its November 12, 2001 order. Those standards included the requirement for competitive bidding of repairs which CCPR has acknowledged did not occur for most expenditures.

Respectfully submitted,

VUONO & GRAY, L.L.C.

By: 
Richard R. Wilson
Attorney for Railroad Ventures, Inc.

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2310 Grant Building
Pittsburgh, PA 15219
(412) 471-1800

CERTIFICATE OF SERVICE

I hereby certify that I have this 11th day of March, 2003 served a copy of the Response of Railroad Ventures, Inc. to Opposition by Central Columbiana and Pennsylvania Railroad to RVI's Request for Extension of Time upon the following by First Class United States Mail, postage prepaid:

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750 17th Street, N.W.
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Washington, D.C. 20006

A handwritten signature in black ink, appearing to read "Richard R. Wilson", with a horizontal line underneath it.

Richard R. Wilson
Attorney for Railroad Ventures, Inc.

RICHARD R. WILSON, P.C.

Attorney at Law

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FAX TRANSMISSION

Date: 3/11/03

From: Richard R. Wilson, Esq.

To: Vernon A. Williams, Secretary-STB

Fax: 202-565-9004

To:

Fax:

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Comments:



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