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SEC

SERVICE DATE – LATE RELEASE JANUARY 21, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB 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

Decided: January 21, 2005

In a decision served on December 13, 2004 (December 2004 Decision), the Board ruled on three separate matters pertaining to the Columbiana County Port Authority's (CCPA) purchase of a 35.7-mile rail line from Railroad Ventures, Inc. (RVI), pursuant to the offer of financial assistance provisions of 49 U.S.C. 10904 and 49 CFR 1152.27. As pertinent here, the December 2004 Decision directed that CCPA and the Central Columbiana & Pennsylvania Railway, Inc. (CCPR), the line's former operator, refund to RVI \$217,282 of the \$375,000 set-aside fund established pursuant to prior Board decisions in this case. By a decision served on January 11, 2005, the Board granted CCPA/CCPR's request to stay the effective date of the December 2004 Decision, pending resolution of a joint petition for reconsideration filed by CCPA/CCPR on January 3, 2005.

Under 49 CFR 1104.13(a), replies to the petition would be due by January 24, 2005. On January 19, 2005, RVI filed a request for an extension until February 28, 2005, to file a reply. In support of its extension request, RVI states that the documentation submitted by CCPA/CCPR in support of their petition is technical in nature and requires examination by RVI's expert, who will not be available until January 24, 2005, and who will need at least 30 days to review the materials. According to RVI, counsel for CCPA and CCPR do not oppose the request for an extension. Under the circumstances, the request is reasonable and will be granted.

It is ordered:

1. The due date for replies to CCPA/CCPR's joint petition for reconsideration is extended to February 28, 2005.

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary