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SEC

SERVICE DATE – JULY 8, 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: July 7, 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. After an extension, RVI filed a reply to the petition for reconsideration on February 28, 2005.

On June 21, 2005, the Board received a petition to intervene, or in the alternative, to appear as amicus curiae in support of CCPA/CCPR, from the Ohio Rail Development Commission (ORDC). Under 49 CFR 1104.13(a), replies to ORDC's petition would be due by July 11, 2005. On July 6, 2005, RVI filed a request for an extension until July 20, 2005, in which to reply. In support of its extension request, RVI states that at the time ORDC's petition was received, both RVI's counsel and principals were on vacation or out of town. According to RVI, counsel for ORDC does 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 ORDC's petition is extended to July 20, 2005.

2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary