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SEC

SERVICE DATE – FEBRUARY 1, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-878

CITY OF PEORIA AND THE VILLAGE OF PEORIA HEIGHTS, IL—ADVERSE
DISCONTINUANCE—PIONEER INDUSTRIAL RAILWAY COMPANY

Decided: January 31, 2007

By decision served January 12, 2007, the Board reopened its August 2005 decision granting an application for adverse discontinuance of Pioneer Industrial Railway Company's (PIRY) operating authority over the Kellar Branch, a line of railroad located in, and owned by, the City of Peoria and the Village of Peoria Heights (collectively, the Cities) in Peoria County, IL. That decision directed the parties to submit additional evidence regarding the balancing of the relative benefits and burdens under the public convenience and necessity standard and set a deadline of February 12, 2007, for submission of evidence from the Cities and Central Illinois Railway Company (CIRY), the current operator of the line. The deadline for replies from PIRY and Carver Lumber Company (Carver Lumber), the sole remaining shipper served over the segment of the Kellar Branch at issue here, was set for March 5, 2007.

On January 25, 2007, the Cities filed a request that the Board extend the deadline for submission of the Cities' and CIRY's evidence by 10 days until February 22, 2007. They also requested that the date for filing replies by PIRY and Carver Lumber be extended for a corresponding 10-day period, until March 15, 2007. The Cities state that this extension is needed because of the absence of the Cities' counsel from his office for a 10-day period in early February. Counsel for the Cities states: (a) that counsel for PIRY and CIRY have authorized him to state that they are not opposed to the requested extension, but (b) that Carver Lumber does not agree to the request.

The request to extend by 10 days the deadlines for filing evidence and replies in this proceeding is reasonable and will be granted.

It is ordered:

1. The Cities' and CIRY's evidence is due on February 22, 2007. PIRY's and Carver Lumber's replies are due on March 15, 2007.

2. This decision is effective on the date of its service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary