

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35130

CENTRAL OREGON & PACIFIC RAILROAD, INC.—COOS BAY RAIL LINE

Decided: May 19, 2008

On April 11, 2008, the Board ordered RailAmerica, Inc., and Central Oregon & Pacific Railroad, Inc. (CORP) (collectively, the railroad), to show cause why the Board should not consider CORP's ongoing failure to provide service on the Coos Bay Line, from Eugene to Coquille, OR (the Line), to be an unlawful abandonment and why CORP should not be required either to promptly repair three deteriorated tunnels on the Line and resume rail service or to seek abandonment authority. In its decision, the Board ordered the railroad to respond by May 12, 2008, and provided that any entity served with the railroad's response would have 10 days from the date of that filing to respond.

The railroad timely filed a response on May 12, 2008. On May 14, 2008, the State of Oregon, the Coos-Siskiyou Shippers Coalition, and the Oregon International Port of Coos Bay (collectively, the Interested Parties) filed a joint request to extend June 3, 2008, the date by which they may respond. The Interested Parties contend that an extension of time is appropriate because the issues involved are complex, they need time to coordinate their responses, and the motion for protective order filed by the railroad will delay their receipt of certain materials.¹ Moreover, the Interested Parties assert that neither the railroad nor the Union Pacific Railroad Company oppose their request.

The Interested Parties' request for an extension of time is reasonable and will be granted. Accordingly, the Interested Parties will have until June 3, 2008, to file their responses to the railroad's response to the Board's show cause order. In light of the urgency and importance of this matter, it is not anticipated that the Board would favor further extensions of time.

It is ordered:

1. The Interested Parties' motion for extension of time is granted, and their responses to the railroad's May 12, 2008 response are due by June 3, 2008.

¹ The Board granted the motion for protective order by decision served on May 16, 2008.

2. This decision is effective on its service date.

By the Board, Anne K. Quinlan Acting Secretary.

Anne K. Quinlan
Acting Secretary