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SEC

SERVICE DATE – LATE RELEASE JULY 2, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34527

MAUMEE & WESTERN RAILROAD COMPANY AND RMW VENTURES LLC –
PETITION FOR DECLARATORY ORDER –
CSX TRANSPORTATION, INC. CROSSING RIGHTS AT DEFIANCE, OH

Decided: July 2, 2007

In a decision served on May 9, 2007, the Board granted in part a petition for declaratory order filed by Maumee & Western Railroad Company and RMW Ventures LLC (collectively, petitioners). The petition involved the removal of crossing diamonds at Defiance, OH, by CSX Transportation, Inc. (CSXT). In that decision, the Board found that CSXT was obligated to restore the crossing diamonds promptly unless the parties agreed to another crossing arrangement. The Board indicated that it believed that 60 days was a reasonable time period for the restoration. The Board also stated that the parties were to negotiate any compensation arrangements, such as maintenance for the crossing, and any other remaining disputed issues.

By a request filed on June 19, 2007, petitioners and CSXT indicate that they believe that the current negotiations will result in an agreement, and they seek additional time (30 more days) to complete their review of draft agreements and technical specifications, conduct further negotiations, and take any other steps that may be necessary.

The joint request for additional time is reasonable and will be granted.

It is ordered:

1. The parties' joint request for additional time (until August 7, 2007) is granted.
2. This decision is effective on the date of its service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary