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SEC

SERVICE DATE - LATE RELEASE AUGUST 27, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-307 (Sub-No. 5X)

WYOMING AND COLORADO RAILROAD COMPANY, INC.  
–ABANDONMENT EXEMPTION–IN CARBON COUNTY, WY

Decided: August 27, 2004

By petition filed on July 23, 2004, Wyoming and Colorado Railroad Company, Inc. (WYCO), seeks an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903 to abandon a 23.71-mile line of railroad between milepost 0.57, near Walcott, and milepost 24.28, at Saratoga, in Carbon County, WY. Notice of the filing was served and published in the Federal Register (69 FR 49946-47) on August 12, 2004. The Notice indicated that replies to the petition for exemption are due on or before September 1, 2004.

By facsimile submitted on August 25, 2004, the State of Wyoming (Wyoming) requests that the due date for filing replies be extended until September 16, 2004. Wyoming submits that a closed mill previously served by the line has been sold to another company and is scheduled to resume operations sometime between November 1, 2004, and December 15, 2004. Accordingly, Wyoming contends that a 15-day extension of time is necessary to afford the Office of the Governor time to meet with the Carbon County Commissioners to address the economic impact of the proposed abandonment on the community and to prepare and present evidence in the proceeding. According to Wyoming, WYCO does not object to the extension request so long as the due date for issuing a decision on WYCO's abandonment petition is not changed.

Under the circumstances, the request for an extension of the due date for filing replies to the petition for exemption is reasonable and will be granted.

It is ordered:

1. The due date for filing replies to the petition for exemption is extended to September 16, 2004.

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

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary