

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35407

GNP RLY, INC.–ACQUISITION AND OPERATION EXEMPTION–REDMOND SPUR AND
WOODINVILLE SUBDIVISION

Decided: October 19, 2010

On August 24, 2010, GNP Rly, Inc. (GNP), a Class III rail carrier, filed a petition under 49 U.S.C. § 10502 for exemption from the provisions of 49 U.S.C. § 10902 to acquire and resume rail service over 2 segments of railbanked railroad right-of-way (ROW) totaling 9.1 miles, consisting of: (1) a ROW extending from milepost 0.0, at Woodinville, Wash., to approximately milepost 7.30 at Redmond, Wash. (Redmond Spur); and (2) a ROW extending from milepost 23.8 to milepost 22.0, at or near Woodinville (Woodinville Subdivision).¹ In a notice served on September 15, 2010, and published in the Federal Register on September 20, 2010 (75 Fed. Reg. 57,327), the Board requested comments on GNP's request to resume rail service and partially vacate the NITUs. The notice stated that comments were due by October 20, 2010, and replies were due by November 19, 2010.

On October 15, 2010, the City of Redmond, King County (the City), and GNP jointly requested a 20-day extension of time for filing comments and replies. The joint request states that the City has initiated discovery to obtain relevant material and that a 20-day extension would allow them to complete discovery while accommodating the schedule constraints of witnesses and counsel. On October 18, 2010, Central Puget Sound Regional Transit Authority filed a letter stating that it has no objection to the request for an extension of time.

The joint request for an extension of time is reasonable in these circumstances and will be granted. Accordingly, the deadline for filing comments will be extended to November 10, 2010, and the deadline for filing replies will be extended to December 9, 2010.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ These segments were the subjects of abandonment proceedings and notices of interim trail use (NITUs) in BNSF Railway Company—Abandonment Exemption—in King County, Wash., AB 6 (Sub-No. 463X) and BNSF Railway Company—Abandonment Exemption—in King County, Wash., AB 6 (Sub-No. 465X). GNP concurrently filed a petition to vacate the NITUs issued for these segments.

It is ordered:

1. The request for extension of time to file comments and replies is granted.
2. Comments must be filed by November 9, 2010 and replies must be filed by December 9, 2010.
3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.