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SERVICE DATE - MAY 17, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-246 (Sub-No. 2X)

YREKA WESTERN RAILROAD COMPANY--  
ABANDONMENT EXEMPTION--IN SISKIYOU COUNTY, CA

Decided: May 14, 1999

In a decision served May 4, 1999, the Board granted the Yreka Western Railroad Company (YW) an exemption to abandon its entire 8.9-mile line of railroad extending between milepost 0.0 in Montague and milepost 8.9 near Yreka, in Siskiyou County, CA. The decision stated that the exemption will be effective on June 3, 1999, unless stayed by the Board or unless a formal offer of financial assistance (OFA) under 49 U.S.C. 10904 and 49 CFR 1152.27(c)(1) was filed by May 14, 1999.

On May 11, 1999, Timber Products Company (Timber) late-filed a petition to toll the time for submitting an OFA until 10 days after YW provides Timber with the information specified at 49 CFR 1152.27(a). Timber states that it had made an oral request for certain information on May 5, 1999. YW responded that it offers no objection to Timber's request. Timber also requests that the Board waive its 5-day filing requirement for submitting a petition to toll by one day, and accept its petition. Timber says that it was necessary to seek the waiver because counsel was not retained until May 11, 1999.

Because Timber's requests are reasonable, and YW does not object, we will accept Timber's late-filed petition and will toll the time period for submitting an OFA until 10 days after YW provides Timber with the information.<sup>1</sup>

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

It is ordered:

1. Timber's petition to toll the OFA time period is accepted.
2. The time period for Timber to file an OFA is extended until 10 days after YW provides Timber with the requested information.

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<sup>1</sup> Because this extension grant is not date specific, YW is requested to notify the Board when it has furnished the information to Timber so that the due date to file an OFA and the effective date of the exemption can be determined for the record.

3. The effective date of the exemption will be 20 days after YW provides Timber with the requested information, unless before that date the Board determines that a financially responsible person has offered financial assistance.

4. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary