

LAW OFFICES
FRITZ R. KAHN, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036

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ENTERED
Office of Proceedings
September 30, 2013
Part of Public
Record

September 30, 2013

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D. C. 20423

re: Docket No. FD 35247, Grenada Railway, LLC--Acquisition and Operation
Exemption--Illinois Central Railroad Company and
Waterloo Railway Company

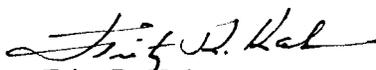
Dear Ms. Brown:

Attached for filing in the subject proceeding is the Reply of Grenada Railway, LLC to the Request for Extension of Time filed by Mr. Robert J. Riley on September 26, 2013.

I certify that I this day have mailed a copy of this letter and its attachment to each party of record.

If you have any question concerning this pleading or if I otherwise can be of assistance, please let me know.

Sincerely yours,


Fritz R. Kahn

att.

cc: Parties of record

SURFACE TRANSPORTATION BOARD

Docket No. FD 35247

GRENADA RAILWAY, LLC--ACQUISITION AND OPERATION EXEMPTION--
ILLINOIS CENTRAL RAILROAD COMPANY and
WATERLOO RAILWAY COMPANY

REPLY OF GRENADA RAILWAY, LLC

Fritz R. Kahn
Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152

Attorney for

GRENADA RAILWAY, LLC

Dated: September 30, 2013

SURFACE TRANSPORTATION BOARD

Docket No. 35247

GRENADA RAILWAY, LLC--ACQUISITION AND OPERATION EXEMPTION--
ILLINOIS CENTRAL RAILROAD COMPANY
and WATERLOO RAILWAY COMPANY

REPLY OF GRENADA RAILWAY, LLC

Applicant, Grenada Railway, LLC, pursuant to 49 C.F.R. § 1104.13(a), replies to Request for Extension of Time filed by Mr. Robert J. Riley on September 26, 2013, and respectfully asks that it be dismissed or denied and as grounds therefor states, as follows:

1. The Request for Extension of Time is sought by Mr. Riley to obtain new evidence through interrogatory responses and document production requests with which Grenada Railway, LLC and Mr. Kern W. Schumacher shall be ordered to comply upon the Board's granting of a Motion to Compel Discovery, contemporaneously filed by Mr. Riley on September 26, 2013, which Motion Grenada Railway, LLC shall oppose by a separate pleading.

2. The new evidence is sought by Mr. Riley to be used in a petition for reconsideration of the Board's Decision, served September 10, 2013, denying Mr. Riley's petition to reopen and revoke the acquisition exemption.

3. Pursuant to 49 C.F.R. § 1115.3(b), a petition for reconsideration will be granted only upon a showing that the prior action involves material error or because of changed circumstances or new evidence.

4. That the new evidence must be evidence which was not available at the time the record was compiled in the proceeding but was uncovered by the time the petition for reconsideration is filed is borne out by 49 C.F.R. § 1115.3(c) which, in part, provides, "When, in a petition filed under this section, a party seeks an opportunity to introduce evidence, the evidence must be stated briefly and must not appear to be cumulative, and an explanation must be given why it was not previously adduced."

5. Mr. Riley has not indicated what new evidence he seeks the opportunity to introduce, that it is not cumulative and why it was not previously adduced.

6. The Board's rule does not contemplate that the petitioner shall be allowed to go on a fishing expedition in the hope that he will uncover new evidence in the interrogatory responses and document productions ordered by the Board in response to the petitioner's Motion to Compel Discovery.

7. Moreover, pursuant to 49 C.F.R. § 1115.3(a), petitions for reconsideration must be filed within 20 days' time, i.e., September 30, 2013, and requests for extensions, pursuant to 49 C.F.R. § 1104.7(b), must be filed ten days before the due date., i.e., September 20, 2013. Mr. Riley's request was filed September 26, 2013.

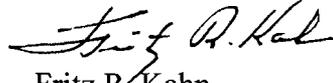
8. Since the Request for Extension of time does not comply with the Board's rules, the Request for Extension should be rejected, pursuant to 49 C.F.R. § 1104.10(a), or denied.

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Respectfully submitted,

GRENADA RAILWAY, LLC

By its attorney,



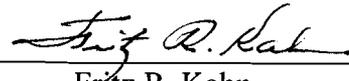
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Fritz R. Kahn, P.C.
1919 M Street, NW (7th fl.)
Washington, DC 20036
Tel.: (202) 263-4152

Dated: September 30, 2013

CERTIFICATE OF SERVICE

I certify that I this day have served the foregoing Reply of Grenada Railway, LLC upon each party of record by mailing it a copy by prepaid, first class postage.

Dated at Washington, DC, this 30th day of September, 2013.



Fritz R. Kahn