



FOSTER PEPPER PLLC

Direct Phone (206) 447-8971
Direct Facsimile (206) 749-1927
E-Mail dijup@foster.com

June 1, 2015

VIA E-FILING

Rachel Campbell
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

238513

ENTERED
Office of Proceedings
June 1, 2015
Part of
Public Record

RE: **Request for Extension of Briefing Schedule**
STB Docket No. FD 35915-0
*Tri-City Railroad Company, LLC v. The City of Kennewick; and
The City of Richland*

Dear Ms. Campbell:

The Cities follow up on the correspondence to the Board of Friday, May 29, 2015 (another copy attached for reference). Please be advised that counsel for Petitioner Tri-City Railroad Company has informed us that Petitioner has no objection to the Respondents' request for a short extension of the briefing schedule in the above-referenced matter, as follows:

Replies due date extended from June 8, 2015 to June 15, 2015.
TCRY's rebuttal due date extended from June 17, 2015 to June 24, 2015.

Please confirm that this schedule is acceptable to the Board at your earliest convenience. The parties have also agreed to electronic service. Your courtesy in this matter is appreciated.

Very truly yours,

FOSTER PEPPER PLLC

P. Stephen DiJulio

PSD:das
Encl.
cc: Counsel for Parties of Record

June 1, 2015
Rachel Campbell
Page 2

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document, in STB FD 35915-0, was served on the Parties of Record below in this proceeding, this 1st day of June, 2015, by e-mail and U.S. Mail.

William J. Schroeder
Gregory C. Hesler
William C. Schroeder
Paine Hamblen LLP
717 West Sprague Avenue, Suite 1200
Spokane, WA 99201
william.schroeder@paineambly.com
greg.hesler@paineambly.com
will.schroeder@paineambly.com

Lisa M. Beaton
City Attorney
City of Kennewick
210 West Sixth Avenue
P. O. Box 6108
Kennewick, WA 99336
Phone: (509) 585-4271
Email: lisa-beaton@ci.kennewick.wa.us

Heather Kintzley
City Attorney
City of Richland
975 George Washington Way
Richland, WA 99352
Phone: (509) 942-7385
Email: hkintzley@ci.richland.wa.us


Debra Samuelson



FOSTER PEPPER PLLC

Direct Phone (206) 447-8971
Direct Facsimile (206) 749-1927
E-Mail dijup@foster.com

May 29, 2015

VIA E-FILING

Rachel Campbell
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

RE: **Request for Extension of Briefing Schedule**
STB Docket No. FD 35915-0
Tri-City Railroad Company, LLC v. The City of Kennewick; and
The City of Richland

Dear Ms. Campbell:

I am writing as counsel for the City of Kennewick and the City of Richland to request that the time periods for replies and rebuttals set forth in the STB's decision on the Tri-City Railroad Company's Petition for Declaratory Order, dated May 18, 2015 and served on May 21, 2015, each be extended one-week, as follows:

Replies due date extended from June 8, 2015 to June 15, 2015.
TCRY's rebuttal due date extended from June 17, 2015 to June 24, 2015.

The reason for the request is that this proceeding has an extensive related underlying record before administrative and judicial forums in Washington State. Counsel need some additional time to identify, prepare and file appropriate supporting materials with the briefing, particularly in light of the STB's requirement that hard copies be provided for materials over a certain size. A short extension will facilitate this process and promote efficiency.

This request has been conveyed to counsel for Tri-City Railroad Company, and if we receive their consent, we will subsequently notify the STB. Your courtesy in this matter is appreciated.

Very truly yours,

FOSTER PEPPER PLLC

P. Stephen DiJulio

PSD:kf
cc: Parties of Record

May 29, 2015
Rachel Campbell
Page 2

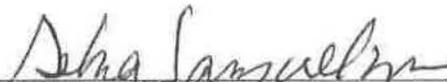
CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Request for Extension of Briefing Schedule, in STB FD 35915-0, was served on the Parties of Record below in this proceeding, this 29th day of May, 2015, by e-mail and U.S. Mail.

William J. Schroeder
Gregory C. Hesler
William C. Schroeder
Paine Hamblen LLP
717 West Sprague Avenue, Suite 1200
Spokane, WA 99201
william.schroeder@painehamblen.com
greg.hesler@painehamblen.com
will.schroeder@painehamblen.com

Lisa M. Beaton
City Attorney
City of Kennewick
210 West Sixth Avenue
P. O. Box 6108
Kennewick, WA 99336
Phone: (509) 585-4271
Email: lisa-beaton@ci.kennewick.wa.us

Heather Kintzley
City Attorney
City of Richland
975 George Washington Way
Richland, WA 99352
Phone: (509) 942-7385
Email: hkintzley@ci.richland.wa.us


Debra Samuelson