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BY E-FILING

March 5, 2014

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Re: STB Finance Docket No. 35724 (Sub-No. 1), California High-Speed Rail Authority—Construction Exemption—In Fresno, Kings, Tulare and Kern Counties, California

Dear Ms. Brown:

The California High-Speed Rail Authority (“Authority”) hereby responds to the February 27, 2014, letter of the Community Coalition on High Speed Rail (“CC-HSR”) requesting an extension of the March 7, 2014, deadline for Replies to the Authority’s Petition for Exemption in the above-referenced docket. The Authority respectfully requests that the Surface Transportation Board (“Board”) deny the request for an extension for the reasons stated below.

On January 21, 2014, CC-HSR filed its Notice of Intent to participate in this proceeding.

On February 27, 2014, CC-HSR filed a request for an extension of the March 7, 2014 deadline for Replies to the Petition for Exemption, arguing that requiring persons opposed to the Authority’s exemption petition to make their definitive responses by the present deadline would be unrealistic, unfair and not likely to be helpful to the Board because of a pending proceeding before the Third District Court of Appeals in California pertaining to the Authority’s compliance with state laws governing the authorization of Proposition 1A bonds.

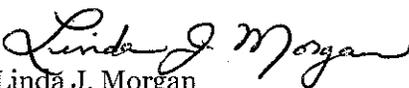
CC-HSR does not explain what information it presently lacks for its Reply. Moreover, CC-HSR does not explain why it waited more than a month after the Authority filed, in connection with the aforementioned court proceeding, its January 24, 2014 Petition for Extraordinary Writ of Mandate to seek this extension. Even so, CC-HSR requests an extension until after the state court decision. In fact, CC-HSR has in hand whatever facts or arguments it wishes to present to the Board and, as CC-HSR’s suggests, the only new development after the state court’s decision will be the decision itself.

Moreover, the Board’s grant of the Petition would be permissive only and the pendency of litigation is not a sufficient basis on which to delay this proceeding. *DesertXpress Enterprises, LLC and DesertXpress HSR Corporation—Construction And Operation Exemption—In Victorville, Cal. And Las Vegas, Nev.*, STB Finance Docket No. Docket No. FD 35544, slip op. at 2 (STB served October 25, 2011); *City of Alameda – Acquisition Exemption – Alameda Beltline Railroad*, STB Finance Docket No. FD-34798, slip op. at 4 (STB served April 3, 2006).

An opened-ended extension like the like one sought by CC-HSR would prejudice the Authority. As noted in the Petition, the Authority has already completed a joint NEPA/CEQA Tier 1 programmatic environmental review with respect to the entire planned high speed rail system and a detailed, second-tier environmental analysis of the Fresno to Bakersfield section, culminating thus far in a Revised Draft EIR/Supplemental Draft EIS. The Authority and the Federal Railroad Administration ("FRA") anticipate having a Final EIR/EIS this Spring and the FRA likely will issue a Record of Decision shortly thereafter. Thus, the extension requested by CC-HSR could mean that the Board would not be in a position to render its decision within a reasonable time after the NEPA process is completed.

For these reasons, the Authority requests that the Board deny the CC-HSR extension request.

Respectfully submitted,


Linda J. Morgan
Attorney for California High-Speed Rail Authority