

Smith Akins & Gladden, P.A.
400 West Capitol Avenue, Suite 1700
Little Rock, Arkansas 72201
T(501)537-5111
F(501)537-5113

October 17, 2013

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, D.C. 20024

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ENTERED
Office of Proceedings
October 17, 2013
Part of
Public Record

Re: **STB Docket No. AB 1076X, Caddo Valley Railroad Company –
Abandonment Exemption – In Clark, Pike and
Montgomery Counties, Arkansas**

**STB Docket No. AB 1076 (Sub-No. 1X), Caddo Valley
Railroad Company – Abandonment Exemption – in
Pike and Clark Counties, Arkansas**

Dear Ms. Brown:

Caddo Valley Railroad Company (“CVRR”), the applicant in the above abandonment proceedings, respectfully requests an extension to February 1, 2014 of the deadline for providing notice of consummation of the abandonment. The current deadline is October 25, 2013.

By decision served February 27, 2013 in the above proceedings, the Board accepted the late-filed request of the West Central Arkansas Planning and Development District, Inc. (“WCAPDD”) for issuance of a Notice of Interim Trail Use (NITU) and issued a NITU

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establishing a 180-day period for negotiating interim trail use. Ordering Paragraph No. 7 of the decision stated: "If an agreement for interim trail use/rail banking is reached by August 26, 2013, interim trail use may be implemented. If no agreement is reached, CVRR may abandon the notice and petition segments, subject to applicable previously imposed conditions."

By letter dated August 26, 2013, I advised the Board that WCAPDD had elected not to pursue negotiations for interim trail use but that another group had expressed interest in pursuing negotiations for interim trail use though they were not yet ready to seek a NITU. I also advised the Board that CVRR had agreed not to consummate the abandonment before February 1, 2014 and that either a request for a new NITU would be filed with the Board or CVRR would request an extension of the deadline for filing the notice of consummation.

Ordering Paragraph No. 6 of the Board's exemption decision served February 14, 2012 in these proceedings stated: "If a legal or regulatory barrier to consummation exists at the end of the 1-year period, the notice of consummation must be filed no later than 60 days after satisfaction, expiration, or removal of the legal or regulatory barrier." A NITU is, of course, a regulatory barrier to consummation of the abandonment which barrier was removed when the NITU expired by its terms on August 26, 2013. Accordingly, the deadline for filing the notice of consummation was automatically postponed to October 25, 2013.

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CVRR has not consummated the abandonment. CVRR desires that additional time be afforded in which a new NITU may be requested. CVRR respectfully requests that the Board extend the deadline for providing notice of consummation of the abandonment to February 1, 2014. Suspension of the Board's operations during the government shutdown has prevented filing of this request until today.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James E. Smith, Jr.", written in a cursive style.

James E. Smith, Jr.
Attorney for Caddo Valley Railroad Company