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ENTERED
September 16, 2015
SURFACE
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September 16, 2015

By E-Filing

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

Re: Docket No. AB 603 (Sub-No.4X), *V AND S Railway, LLC - Abandonment Exemption - in Pueblo, Crowley, and Kiowa Counties*

Dear Ms. Brown:

On August 24, 2015, in response to the Notice of Exemption issued by the Director of the Board's Office of Proceedings in this docket on August 21, 2015, KCVN, LLC and Colorado Pacific Railroad, LLC, ("KCVN/CPRR") filed a Notice of Intent to File an Offer of Financial Assistance, by which they announced their intent to submit an offer to purchase the entire line the V AND S Railway, LLC ("V&S") seeks to abandon. Pursuant to 49 CFR §1152.27(a), the Notice of Intent requested certain information from V&S about the line.

The Notice of Intent also asked the Board to toll the 30 day period for submitting offers of financial assistance to purchase the line for an additional 30 days in order to provide KCVN/CPRR with an adequate opportunity to review and analyze the material provided by V&S in response to the Notice and to prepare and submit their offer. The

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Board has yet to act on this request. While the parties have discussed the exchange of information requested by KCVN/CPRR, and V&S has provided some of the information, this process is ongoing. Moreover, V&S has designated some of the information requested as confidential, and on September 8, 2015, V&S filed a Motion for a Protective Order in this proceeding. The Director of the Office of Proceedings granted that motion on September 11, 2015, but in a footnote in that decision stated that the tolling request would be addressed in a separate decision. Due to the unavailability of counsel for V&S on Monday and Tuesday of this week, KCVN/CPRR did not receive any additional information from V&S.

Given that the current filing date for the OFA established by the applicable rules is September 21, 2015¹ and KCVN/CPRR are still in the process of receiving the information they requested from V&S, they hereby reiterate good cause exists for granting their tolling request, and they respectfully urge the Board to expeditiously grant that request, which would extend the current filing date to October 21, 2015. Finally, the undersigned is authorized to state that V&S does not oppose KCVN/CPRR's tolling request.

The undersigned certifies that this letter is being served today by email on all parties of record.

Sincerely,



Thomas W. Wilcox

*Attorney for KCVN, LLC and Colorado
Pacific Railroad, LLC*

cc: Eric M. Hocky, Esq.
William S. Osborn, Esq.
Kiowa County, Colorado
Bd of County Commissioners

¹ The current 30 day period ends on Sunday, September 20. This would make the filing date Monday, September 21, and a 30 day extension of that date would fall on October 21.