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September 2, 2011

JOHN H. BROADLEY

Cynthia F. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20423-0001

FILED
SEP 2 2011
**SURFACE
TRANSPORTATION BOARD**

**ENTERED
Office of Proceedings**
SEP 02 2011
**Part of
Public Record**

Re: STB Docket AB 295 (Sub-No. 7X), The Indiana Rail Road Company—
Abandonment Exemption—Martin and Lawrence Counties, IN

Dear Ms. Brown:

Enclosed are the following:

1. An original and eleven copies of the Petition of The Indiana Rail Road Company for an Enlargement of Time in which to Negotiate a Trail Use Agreement;
2. A check payable to the Surface Transportation Board in the amount of \$450 as a filing fee;
3. A CD with an electronic copy of the Petition;
4. A Certificate of Service certifying service on all parties of record in the proceeding; and
5. A stamped return envelope.

Please file the Petition in this proceeding and return to me a file stamped copy of the Petition in the stamped return envelope.

Yours very truly,

FEE RECEIVED

SEP 2 2011

John Broadley
John Broadley

Enclosures

**SURFACE
TRANSPORTATION BOARD**

SEP 2

**BEFORE THE
SURFACE TRANSPORTATION BOARD
Washington, D.C.**

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)	
The Indiana Rail Road Company – Abandonment--)	AB 295 (Sub-No. 7X)
Exemption – Martin and Lawrence Counties,)	
Indiana)	
)	
_____)	

**ENTERED
Office of Proceedings
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Public Record**

**PETITION OF THE INDIANA RAIL ROAD COMPANY
FOR AN ENLARGEMENT OF TIME IN
WHICH TO NEGOTIATE A TRAIL USE AGREEMENT**

On March 26, 2010 the Board issued a “Decision and Notice of Interim Trail Use or Abandonment” (the “March 26 Decision”) in this proceeding. Ordering paragraph 8 of the March 26 Decision provides:

If an agreement for interim trail use/rail banking is reached by September 22, 2010, interim trail use may be implemented. If no agreement is reached by that time, INRD may fully abandon the line. See 49 CFR 1152.29(d)(1). If an interim trail use/rail banking agreement is executed before September 22, 2010, the public use condition will expire to the extent the trail use/rail banking agreement covers the same line.

From time to time The Indiana Rail Road Company (“INRD”) and the Indiana Trails Fund, Inc. (“ITF”) have agreed to an extension of the time in which to negotiate a trail use agreement and have petitioned the Board for an extension. The Board has granted the requested extensions. The most recent extension granted by the Board extends the NITU negotiating period to September 17, 2011.¹

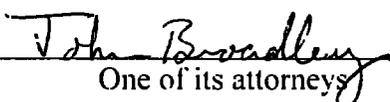
¹ The Board served an order on August 22, 2011 limiting the coverage of the NITU to the portion of the line between Milepost 241.35 and Milepost 262.11, and permitting INRD to consummate the abandonment of the portion of the line between Milepost 262.11 and Milepost 262.50 and to consummate the abandonment of the Bedford Industrial Track. INRD will shortly

The parties have reached agreement on all terms of a trail use agreement with the exception of certain language relating to insurance. The parties believe that the matter will be resolved and the trail use agreement signed before September 17, 2011, but out of an abundance of caution have decided to seek a further extension of the NITU negotiating period from September 17, 2011 to March 12, 2012.

Wherefore, INRD respectfully requests the Board to enter an order extending the NITU negotiating period in this matter by 180 days to March 12, 2012.²

Respectfully submitted:

THE INDIANA RAIL ROAD COMPANY

By: 
One of its attorneys

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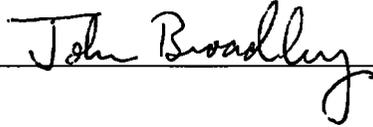
Dated: September 2, 2011

be filing a notice pursuant to 49 CFR 1152.29(e)(2) that it has consummated the abandonment of the Bedford Industrial Track and the portion of the line between Milepost 262.11 and Milepost 262.50.

² ITF separately has filed with the Board a letter of concurrence.

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of September 2011 I caused copies of the foregoing PETITION OF THE INDIANA RAIL ROAD COMPANY FOR AN ENLARGEMENT OF TIME IN WHICH TO NEGOTIATE A TRAIL USE AGREEMENT to be served on all parties listed on the Board's web site as Parties of Record in this proceeding, by depositing copies thereof, postage prepaid, in the United States mail addressed to such parties, or their indicated counsel, at the address listed on the Board's web site.



Dated: September 2, 2011