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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

ENTERED
Office of Proceedings
January 15, 2016
Part of
Public Record

STB FINANCE DOCKET NO. 30186

**TONGUE RIVER RAILROAD COMPANY, INC. – RAIL CONSTRUCTION
AND OPERATION – IN CUSTER, POWDER RIVER
AND ROSEBUD COUNTIES, MT**

TONGUE RIVER RAILROAD COMPANY, INC. NOTICE

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Attorneys for Applicant
Tongue River Railroad Company, Inc.

January 15, 2016

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TONGUE RIVER RAILROAD COMPANY, INC. NOTICE

Applicant Tongue River Railroad Company, Inc. (“TRRC”) hereby provides notice that one of its owners, Arch Coal, Inc. (“Arch Coal”), together with each of its subsidiaries, filed Chapter 11 voluntary bankruptcy petitions on January 11, 2016 in the U. S. Bankruptcy Court for the Eastern District of Missouri. *In re Arch Coal, Inc., et al.*, No. 16-40120. The Arch Coal subsidiaries filing under Chapter 11 include Otter Creek Coal, LLC (“Otter Creek”), the applicant before the Montana Department of Environmental Quality (“MDEQ”) for a coal mining permit to develop the Otter Creek mine that would be served by the TRRC rail line. TRRC understands that the Chapter 11 filings are intended to facilitate the restructuring of debt, and that both Arch Coal and Otter Creek will continue to conduct business in the ordinary course during the Chapter 11 reorganization proceedings.

In that regard, the filing of the Chapter 11 petitions by Arch Coal and Otter Creek Coal does not change the status of TRRC’s rail construction and operation application under consideration in this proceeding. TRRC continues to request a decision by the Surface Transportation Board on its November 25, 2015 Petition to Hold this Proceeding in Abeyance

pending the issuance of a judicially-affirmed permit authorizing development of the Otter Creek coal mine. TRRC further understands that the filing of the voluntary bankruptcy petition does not affect the status of the Otter Creek mine permit application before the MDEQ and that mine permit application remains pending.

Respectfully submitted,



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January 15, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January 2016, I have caused a copy of the foregoing Tongue River Railroad Company, Inc. Notice to be served by first-class mail, postage prepaid, on each of the parties of record in STB Finance Docket No. 30186.



David H. Coburn