

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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April 22, 2013  
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**STB FINANCE DOCKET NO. 30186**

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

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**PETITION OF TONGUE RIVER RAILROAD COMPANY, INC. FOR EXTENSION OF  
TIME TO FILE A REPLY TO COMMENTS OF INTERESTED PARTIES ON THE  
TRANSPORTATION MERITS OF ITS CONSTRUCTION APPLICATION**

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Attorneys for Tongue River Railroad  
Company Inc.

April 22, 2013

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In a decision served on February 26, 2013 in the above-captioned proceeding, the Board set a deadline of April 2, 2013 for interested parties to file comments on the transportation merits of Tongue River Railroad Company, Inc.'s ("TRRC") December 17, 2012 supplemental construction application and a deadline of May 16, 2013 for TRRC to file a reply. Pursuant to 49 CFR § 1104.7, TRRC hereby requests an approximately three week extension of the May 16, 2013 deadline so that TRRC's reply will be due on June 7, 2013.

In support of this request, TRRC states that Northern Plains Resource Council submitted lengthy comments on April 2, with several supporting attachments including multiple expert reports regarding the market for Otter Creek Coal. Given the length and technical nature of these comments, TRRC will need additional time to review and provide a response to the comments. Further, a key expert retained by TRRC to respond to two of the reports on which opponents of the Project rely has other commitments that substantially limit the amount of time he is able to devote to the TRRC response between now and May 16, 2013.

In addition, no party should be prejudiced by the short extension requested here since it will not delay the proceedings. If the extension is granted, TRRC's reply comments will still be submitted well before the environmental review is complete.

For all of these reasons, TRRC respectfully urges that this Petition be granted and that the Board extend the due date for TRRC's reply to the April 2, 2013 comments of interested parties on the transportation merits of TRRC's application until June 7, 2013.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of April 2013, I have caused a copy of the foregoing Petition for Extension of Time to be served by first-class mail, postage prepaid, on counsel for the parties of record in STB Finance Docket Nos. 30186.

A handwritten signature in cursive script that reads "David H. Coburn". The signature is written in black ink and has a long, sweeping horizontal flourish at the end.

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David H. Coburn