

ENTERED  
Office of Proceedings

MAY 10 2004

Part of  
Public Record



May 7, 2004



Via Fax (202) 565-9004 and UPS Next Day Air

The Honorable Vernon A. Williams

Secretary

Surface Transportation Board

1925 K Street, N.W.

Washington, D.C. 20423-0001

ENTERED  
Office of Proceedings

MAY 10 2004

Part of  
Public Record

**LATE FILED REQUEST FOR FILING PROTESTS AND WRITTEN COMMENTS**

**RE: Docket No. AB-838, East St. Louis Junction Railroad Company – Adverse Abandonment – In St. Clair County, IL 210816**

**Docket No. AB-33 (Sub-No. 199), Union Pacific Railroad Company – Adverse Discontinuance – In St. Clair County, IL 210814**

Dear Mr. Williams:

By decision served March 2, 2004, the Board granted a 60 day extension (from March 4, 2004 to May 4, 2004) of the due date for filing protests and written comments in the above proceedings to facilitate negotiations by UP, applicant Illinois Department of Transportation (“ILDOT”) and other railroads involved in the Illinois Route 3 project.

Union Pacific Railroad Company (“UP”) respectfully requests an additional 60 day extension (from May 4, 2004 to July 20, 2004) of the due date for filing protests and written comments in these proceedings. In support of this request, UP states that the above parties are engaged in ongoing negotiations, which will not be concluded before the current May 4<sup>th</sup> due date. An alternative service proposal has been offered to the UP which is encouraging and is presently undergoing internal review. We are requesting an 60 day extension, because, given the multiple parties involved and recent setbacks in said negotiations, reaching an agreement is likely to require an additional 60 days. UP remains hopeful that the negotiations will prove successful, in which case UP would not oppose ILDOT’s application.

O:\ABANDONMENTS\33-199X\EXTENSION4.DOC

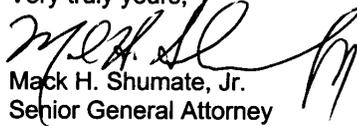
Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065

Counsel to ILDOT has authorized UP to state that IDOT has no objection to the requested extension.

An additional ten (10) copies of this letter are attached for the Board's files.

Very truly yours,



Mack H. Shumate, Jr.  
Senior General Attorney

Enclosures

cc: Fritz R. Kahn, Esq.

**CERTIFICATE OF SERVICE**

I certify that I have this day served a copy of the foregoing document upon the following by fax and by first class United States Mail:

Fritz R. Kahn, Esq.  
1920 N Street, N.W.  
8<sup>th</sup> Floor  
Washington DC 20036-1601  
Fax: 202/ 331-8330

Dated at Chicago, Illinois this 7<sup>th</sup> day of May, 2004.

  
Mack H. Shumate, Jr.