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REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
MILITARY SURFACE DEPLOYMENT & DISTRIBUTION COMMAND
Operations Center
661 Sheppard Place
Fort Eustis, VA 23604-1644

March 2, 2004

Office of the Staff Judge Advocate

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

ENTERED
Office of Proceedings

MAR 03 2004

Part of
Public Record



Re: Notice of TTX pooling application and request for public comments – Surface
Transportation Board Finance Docket No. 27590 (Sub No. 3)

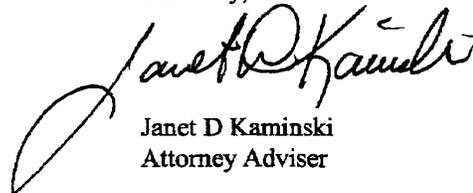
Dear Secretary Williams:

Enclosed is a filing in the above-reference proceedings please find an original and ten (10) copies of a petition for an extension in time to submit comments. We have notified TTX of our need for an extension and according to their General Counsel Mr. Patrick B. Loftus, they have no objection to the Board granting of our petition for an extension.

I certify that a copy of this petition was sent to each of the following TTX, Burlington Northern and Santa Fe Railway Company, CSX Transportation, Inc., Florida East Coast Railway Company, Guilford Rail System, Illinois Central Railroad Company, The Kansas City Southern Railway Company, Norfolk Southern Railway Company, Canadian Pacific -Soo Line R.R., Canadian National Railroad for Grand Trunk Western Railroad Company and the Union Pacific Railroad Company by regular first class mail on March 2, 2004.

Should any questions arise regarding this request, please feel free to contact me at (757) 878-8061 or at kaminskij@sddc.army.mil. Thank you for your consideration in this matter.

Sincerely,


Janet D Kaminski
Attorney Adviser

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET No. 27590 (Sub-No. 3)

**Application of TTX Company for Approval of Pooling of Cars Service
With Respect to Flatcars**

PETITION FOR EXTENSION IN COMMENT SUBMISSION PERIOD

**JANET D. KAMINSKI
USA, HQ, SDDC
Office of the Staff Judge Advocate
Room 111, 661 Sheppard Place
Fort Eustis, VA 23604-1644**

Dated: March 2, 2004

The Military Surface Deployment and Distribution Command (SDDC) is a major United States Army command and a component of the Department of Defense's (DOD) Transportation Command. A primary function of this Command is to manage the transportation of DOD shipments by rail. It negotiates the cost of military shipments, tracks shipments while in transit, coordinate flat cars requirements with the appropriate rail roads and TTX. It owns and manages the military freight cars used for interchange use. These cars are referred to as the Defense Freight Railway Interchange Fleet (DFRIF) and carry DODX reporting marks.

This Command is aware of the Board's notice for comments on TTX's application for a 15 year extension of its current pooling authority with comments submission by March 22, 2004. In order to promote the national transportation policy as expressed in 49 U.S.C. § 10101.(4), we are currently reviewing the application, recent military deployments and redeployments rail service requirements, the DOD's reliance on rail service in particular the scope of TTX's pooling authority and the present and future availability of critical rail assets for national defense.

The DOD may not be able to adequately complete the required analysis and staffing to meet the Board's expedited comment submission deadline of March 22, 2004. Consequently, this Command requests an extension for submission of DOD's comments until April 12, 2004, in order for DOD to fulfill its obligations under the national transportation policy to provide the Board with the national defense perspective on TTX's application.

On March 1, during a phone conversation with Mr. Patrick B. Loftus, the General Counsel for TTX, he stated TTX has no objection with this petition's request for an extension to April 12, 2004 for submitting comments.

Address all communications to:

United States Army,
Headquarters, Military Surface Deployment and Distribution
Command,
Office of the Staff Judge Advocate -Operations Branch
Attn: Janet Kaminski
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e-mail Kaminskij@sddc.army.mil

Respectfully submitted,



JANET D. KAMINSKI
Attorney Advisor

**MILITARY SURFACE DEPLOYMENT AND
DISTRIBUTION COMMAND**

OPERATIONS CENTER
OFFICE OF THE STAFF JUDGE ADVOCATE
681 SHEPPARD PLACE
FT. EUSTIS, VA 23604-1644
Telephone: (757) 878-7504 or DSN 826-7504
FAX: (757) 878-8065 or DSN 826-8065

Fax

To: Mr. Joe Depmine **From:** Janet Kaminski **Date:** 2 Mar 04

STB, General Counsel

Fax: (202) 565-9002 **Phone:** (757) 878-8061

Phone: (202) 565-1609

SUBJECT: A Letter Notice of TTX Pooling Application and Request for Public
Comments – Surface Transportation Board Finance Docket No. 27590 (Sub No. 3)

Please discard my earlier fax message. I inadvertently had my legal assistant fax you an early draft letter. Attached is the cover letter and petition for a time extension submitted to the Board and sent to TTX and the railroad companies. Thanks for all your help on this matter.

Janet Kaminski

Attorney Adviser

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This message consists of 1 pages (including this cover sheet).