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COVINGTON & BURLING LLP

1201 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004-2401  
TEL 202 662 6000  
FAX 202 662 6291  
WWW COV COM

BEIJING  
BRUSSELS  
LONDON  
NEW YORK  
SAN DIEGO  
SAN FRANCISCO  
SILICON VALLEY  
WASHINGTON

MICHAEL L. ROSENTHAL  
TEL 202 662.5448  
FAX 202 778 5448  
MROSENTHAL@COV.COM

**EXPEDITED CONSIDERATION REQUESTED**

February 12, 2010



**BY HAND**

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

Re: STB Docket No. 42117, *Cargill, Inc., et al. v. Aberdeen & Rockfish Railroad Co., et al.*

Dear Ms. Brown:

Enclosed for filing in the above-referenced docket are an original and ten copies of the Association of American Railroads' unopposed motion for an extension of time to answer the complaint filed in this matter. Because the current date for filing an answer is February 18, 2010, expedited consideration of this motion is requested.

Thank you for your assistance.

Sincerely,

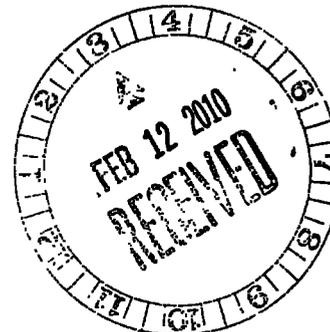
Michael L. Rosenthal  
Counsel for Association of  
American Railroads

Enclosure

cc: Jeffrey O. Moreno, Esq. (counsel for Complainants)

**EXPEDITED CONSIDERATION REQUESTED**

BEFORE THE  
SURFACE TRANSPORTATION BOARD



CARGILL, INC., *et al.*,  
  
Complainants,  
  
v.  
  
ABERDEEN & ROCKFISH RAILROAD  
COMPANY, *et al.*,  
  
Defendants.

Docket No. 42117

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**UNOPPOSED MOTION FOR EXTENSION OF TIME TO ANSWER**

Pursuant to 49 C.F.R. § 1104.7, Defendant Association of American Railroads (“AAR”) requests that the Surface Transportation Board extend the time for AAR and the other defendants in the above-captioned matter to answer the Complaint and Petition for Mediation that have been filed in this matter until March 18, 2010.

AAR submits that there is good cause for the Board to grant the extension and waive the requirement that requests for extensions of time be filed not less than 10 days before the due date. The recent, severe winter weather conditions in the Washington, D.C., region has interfered with efforts to retain counsel, delayed counsel’s efforts to investigate the allegations in the Complaint so as to provide an appropriate Answer, and limited counsel’s opportunity to coordinate and consult with clients regarding complainants’ Petition for Mediation.

Counsel for complainants have authorized AAR to represent that complainants do not oppose this motion.

AAR seeks expedited consideration of this motion to extend the time to answer for AAR and the other defendants because answers to the Complaint would be due on February 18 if the Board does not grant the requested extension.

Respectfully submitted,



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MICHAEL L. ROSENTHAL  
Covington & Burling LLP  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
(202) 662-6000

*Counsel for Association of American  
Railroads*

February 12, 2010

CERTIFICATE OF SERVICE

I, Michael L. Rosenthal, hereby certify that, on this 12th day of February, 2010, I caused a copy of the Association of American Railroads' Unopposed Motion for an Extension of Time to Answer to be served by first class mail, postage prepaid, on all parties of record in Docket No. 42117.



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Michael L. Rosenthal