

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB FINANCE DOCKET NO. 30186 (Sub No. 3)**

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**TONGUE RIVER RAILROAD COMPANY INC.—CONSTRUCTION AND  
OPERATION—WESTERN ALIGNMENT**

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**PETITION FOR  
EXTENSION OF TIME FOR REPLY TO PETITION TO REOPEN\***

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Attorneys for Tongue River Railroad  
Company Inc.

August 3, 2010

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\* The Petition to Reopen also embraces Finance Docket No. 30186, *Tongue River R.R.—Rail Construction and Operation—In Custer, Powder River and Rosebud Counties, MT*, and Finance Docket No. 30186 (Sub-No. 2), *Tongue River Railroad Company—Rail Construction and Operation—Ashland to Decker, Montana*.

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Pursuant to 49 C.F.R. § 1104.7 of the Board's rules, Tongue River Railroad Company, Inc. ("TRRC") hereby requests an extension of time to file its reply to the "Petition of Northern Plains Resource Council and Mark Fix to Reopen the Record and Request that the Board Prepare a Supplemental Environmental Impact Statement and Reconsider Its Final Decision Approving the Tongue River Railroad in Light of Substantial Changed Circumstances and New Evidence that Materially Affect the Board's Prior Determination of Public Convenience and Necessity" ("the Petition"). According to 49 C.F.R. § 1104.13, TRRC must file its reply within 20 days of the filing of the Petition.

Since the Petition was filed on July 26, 2010, a reply would be due on August 16. However, the attorneys representing TRRC in this matter will be on planned vacations for much of that 20 day period. Further, upon returning, the attorneys for TRRC are scheduled to devote a substantial portion of their time to other matters currently in litigation. TRRC therefore requests an additional 24 days to file its reply. Were this extension granted, the reply would be due on September 9. TRRC's attorneys have endeavored to contact Petitioners' counsel concerning this extension, but as of this time have not heard back from them.

For these reasons, TRRC hereby requests an extension until no later than September 9, 2010 of the current deadline for their reply.

Respectfully submitted,

A handwritten signature in black ink that reads "David H. Coburn". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

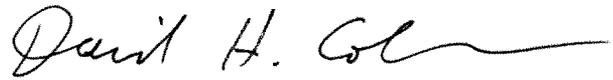
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August 3, 2010

CERTIFICATE OF SERVICE

I hereby certify that on this 3<sup>rd</sup> day of August 2010, I have caused a copy of the foregoing “Petition for Extension of Time for Reply to Petition to Reopen” of Tongue River Railroad Company, Inc. to be served by first-class mail, postage prepaid, on all parties of record in STB Finance Docket Nos. 30186 (Sub-No. 3), 30186 (Sub No.2) and 30186.

A handwritten signature in black ink, reading "David H. Coburn", with a long horizontal flourish extending to the right.

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David H. Coburn