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SEC

SERVICE DATE – LATE RELEASE MARCH 13, 2009

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35175

ROSEBURG FOREST PRODUCTS CO., TIMBER PRODUCTS COMPANY, L.P.,
SUBURBAN PROPANE, L.P., COWLEY D&L, INC., SOUSA AG SERVICE, AND YREKA
WESTERN RAILROAD COMPANY—ALTERNATIVE RAIL SERVICE—CENTRAL
OREGON & PACIFIC RAILROAD, INC.

EX PARTE NO. 346 (Sub-No. 25-C)

RAIL GENERAL EXEMPTION AUTHORITY—PETITION FOR PARTIAL REVOCATION
OF COMMODITY EXEMPTION—LUMBER OR WOOD PRODUCTS

Decided: March 13, 2009

Roseburg Forest Products Co., Timber Products Company, L.P., Suburban Propane, L.P., Cowley D&L, Inc., Sousa AG Service, and Yreka Western Railroad Company (collectively petitioners) filed a petition under 49 U.S.C. 11123 and 49 CFR part 1146 seeking an order authorizing interim alternative rail service over approximately 218 miles of rail line extending between Black Butte, CA, and Dillard, OR. The petition was opposed by Central Oregon & Pacific Railroad, Inc. (CORP), the owner and operator of the line. In a decision served on March 4, 2009, the Board found that petitioners had failed to make all of the showings required for the relief they seek and held the record open to give the parties an opportunity to supplement the record. The parties were directed to submit supplemental statements responsive to the Board's questions by March 24, 2009, and replies by April 3, 2009.

In a letter filed on March 11, 2009, petitioners request a one-week extension of the deadline to file supplemental statements on grounds that their counsel has been out of the country for a week since the March 4 decision was issued. Petitioners add that counsel for CORP does not object to the extension request provided there is a corresponding extension for filing replies. The extension request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The due dates for supplemental statements and replies are extended to March 31, 2009, and April 10, 2009, respectively.

2. This decision is effective on its date of service.

By the Board, Anne K Quinlan, Acting Secretary.

Anne K Quinlan
Acting Secretary