

LARRY W. CROWDER
State Senator

State Capitol, Room 274
200 E. Colfax Avenue
Denver, Colorado 80203
303.866.4875

larry.crowder.senate@state.co.us



COMMITTEES
Member of:

Health and Human Services

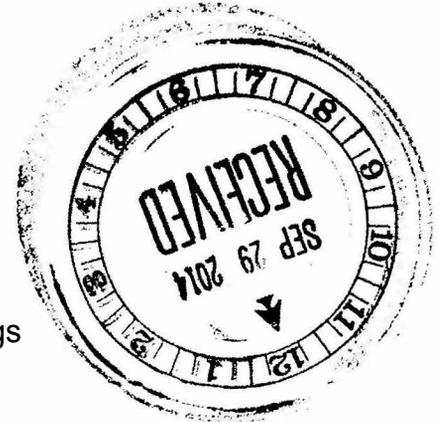
**SENATE
STATE OF COLORADO
DENVER**

236791

Docket number- AB 603 Sub 3

Surface Transportation Board (STB)
395 E. St. S.W.
Washington DC 20423-0001

ENTERED
Office of Proceedings
October 9, 2014
Part of
Public Record



As a Colorado State Senator, I would ask that the Towner Line dismantling be reversed and that the line be put back to operational condition. Grain is still being transported on this line and the impact of removal is not in the best interest of this portion of the state.

On July 28, 2014 KCVN LLC made its offer to purchase the entire Towner Line from V&S as an "Offer of Financial Assistance" or OFA, which is provided for under STB regulations governing line abandonments, in a letter to V&S Railway Co., with copies to Governor Hickenlooper, Senators Bennet and Udall, Representative Cory Gardner, CDOT Executive Director Don Hunt, and Ms Cynthia T. Brown, Chief, Section of Administration, Office of Proceedings, STB.

In late August, it became generally known and documented that V&S was starting to dismantle the west end of the Towner Line starting at Arlington, CO and working west.

V&S has not filed to abandon this portion of the line with the STB, and of course the STB has not given V&S authority to abandon and then salvage this (or any) portion of the Towner Line. The STB has procedures governing rail line abandonments. V&S is not following them. As regulator, and a regulator charged with protecting the public's interest (versus V&S' interests) in maintaining rail lines for service, V&S is deliberately ignoring the STB and doing what they want. The STB should use its authority to put a halt to this and remind V&S of the process to be followed. The process to be followed, incidentally, gives businesses and the public the opportunity to be heard in an abandonment proceeding which, in this case has not even been filed yet.

In Closing, Pursuant to 49 U.S.C. 10903, a rail carrier is prohibited from abandoning any part of it's railroad lines without prior and complete abandonment authorization from the Board. Tearing up the tracks is an act of abandonment that cannot be done without the board's approval of the abandonment of this line.

Larry Crowder
Senator Larry Crowder

Alamosa, Colorado



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§ 1104.12 Service of pleadings and papers.

I certify that I have this day served copies of document upon all parties of record in this proceeding by certified US Mail, date of delivery October 6, 2014. USPS #9114 9999 4423 8113 254899 delivered to;

Fritz R. Kahn, P.C.
1919 M Street
7th Floor
Washington, D.C. 20036

SignatureDate

Larry Crowder
10/09/2014