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SEC

SERVICE DATE – LATE RELEASE MAY 30, 2008

SURFACE TRANSPORTATION BOARD

NOTICE

STB Finance Docket No. 35106

UNITED STATES DEPARTMENT OF ENERGY—RAIL CONSTRUCTION AND
OPERATION—CALIENTE RAIL LINE IN LINCOLN, NYE, AND ESMERALDA
COUNTIES, NV

Decided: May 30, 2008

NOTICE TO THE PARTIES:

The attached service list has been compiled from notices of intent to participate¹ submitted in accordance with the procedural schedule set forth in this proceeding as described in the decision served in this proceeding on April 11, 2008, and published on April 16, 2008, in the Federal Register at 73 FR 20748-49.

Each person actively participating as a Party of Record in this proceeding must, by **June 6, 2008**, serve a copy of all filings submitted so far in this proceeding on each Party of Record (designated on the attached service list as “Party of Record”) to the extent such filings have not previously been served upon such other parties. Each Party of Record also will be required to file with the Board, by **June 6, 2008**, a certificate of service, indicating that the service required by the preceding sentence has been accomplished.

Any document filed in this proceeding must be filed either via the Board’s e-filing format or in the traditional paper format. Any person e-filing a document should attach a document and otherwise comply with the instructions found on the Board’s website at “www.stb.dot.gov” at the “E-FILING” link. Any person filing a document in the traditional paper format should send to the Board an original and 10 paper copies of the document (and also an electronic version).

Every filing made by a Party of Record after the service date of this Notice must have its own certificate of service indicating that all Parties of Record on the service list have been served with a copy of the filing. Members of the United States Congress and Governors are not parties of record and, therefore, need not be served with copies of filings, unless any such Member of Congress or Governor has requested to be, and is designated as, a Party of Record.

The Board will follow the practice regarding service of Board actions in past proceedings. See Canadian Pacific Railway Company, et al.—Control—Dakota, Minnesota &

¹ Nuclear Waste Strategy Coalition, which is included as a party of record on the attached service list, did not file a notice of intent to participate but did file a comment.

Eastern Railroad Corp., et al., STB Finance Docket No. 35081 (STB served Feb. 1, 2008). Copies of decisions, orders, and notices will be served only on those persons who are designated as Party of Record, Non-Party, Member of Congress, or Governor on the official service list. All other interested persons are encouraged to secure copies of such decisions, orders, and notices via the Board's website at "www.stb.dot.gov" under "E-LIBRARY/Decisions & Notices."

All persons on the attached service list should review the list and determine whether information about their address and status (as a Party of Record or Non-Party) is correct. The list reflects the Board's policy of allowing only one official representative per party to be placed on the service list, as specified in Press Release No. 97-68 dated August 18, 1997, announcing the implementation of the Board's "One Party-One Representative" policy for service lists. In this proceeding, if a request was made in the notice of intent to participate to have more than one name added to the service list as a Party of Record representing a particular entity, the extra name was added to the service list as a "Non-Party." Any person designated as a Non-Party will receive copies of Board decisions, orders, and notices but not copies of official filings. Persons seeking to change their status must accompany that request with a written certification that he or she has complied with the service requirements set forth at 49 CFR 1104.12, and any other requirements set forth in this notice.²

Requests to change or correct service list information, or to be deleted from the service list, must be filed **in writing** with the Board by **June 6, 2008**. Parties must submit such requests either via the Board's e-filing format or in the traditional paper format (an original plus 10 copies). Requests submitted in the paper format should be directed to:

Surface Transportation Board
Re: STB Finance Docket No. 35106
395 E Street, S.W.
Washington, DC 20423-0001

Anne K. Quinlan
Acting Secretary

² The one official representative per party policy will be applied to the United States Department of Energy (DOE) as well. Filings must only be served on the applicant's representative shown on the service list to this decision and need not be served on other DOE offices listed in the Board's April 11, 2008 decision.

SERVICE LIST

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