

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35654

GENESEE & WYOMING INC.

-- CONTROL --

RAILAMERICA, INC. ET AL

232998
ENTERED
Office of Proceedings
September 19, 2012
Part of
Public Record

NOTICE OF INTENT TO PARTICIPATE

United Transportation Union ("UTU") respectfully submits its Notice of Intent to Participate in this proceeding to the Board. UTU is the largest railroad labor organization in the United States. UTU represents a number of the employees of the applicant. As a result, UTU has a strong interest in this proceeding.

Respectfully submitted,

/s/ Erika A. Diehl
Assistant General Counsel
United Transportation Union
24950 Country Club Blvd., Ste. 340
North Olmsted, Ohio 44070
Tel: (216) 228-9400
Fax: (216) 228-0937
c_miller@utu.org

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing United Transportation Union's Notice of Intent to Participate has been e-filed and served this 19th day of September, 2012, via first-class, postage pre-paid mail upon the following:

Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave., SE
Washington, DC 20590

Attorney General of the United States
c/o Assistant Attorney General, Antitrust Div.
Room 3109
Department of Justice
Washington, DC 20530

Terence M. Hynes
Sidley Austin LLP
1501 K Street, N.W.
Washington, DC 20005

David H. Coburn
Steptoe & Johnson, LLP
1330 Connecticut Ave., N.W.
Washington, DC 20036

/s/ Erika A. Diehl
Erika A. Diehl