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Office of Proceedings  
January 2, 2013  
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THOMAS F MCFARLAND

January 2, 2013

By e-filing

Ms. Cynthia T. Brown, Chief  
Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20024

Re: Finance Docket No. 35709, *Pacific Imperial Railroad, Inc. -- Change In Operators Exemption -- Rail Line Of San Diego And Arizona Eastern Railway Company (Residual Operating Authority Of San Diego & Imperial Valley Railroad Company)*

Dear Ms. Brown:

This acknowledges a request by a member of your staff for additional information in regard to a Notice of Exemption in the above proceeding filed on December 26, 2012.

This is to certify that:

- (1) in the absence of a workplace of employees of San Diego & Imperial Valley Railroad Company, Inc. (SDIY) on the affected rail line, the Notice of employment opportunity under 49 C.F.R. § 1150.32(e) or 49 C.F.R. § 1150.42(e), referred to at pages 5 and 6 of the Notice of Exemption, is being sent to Kenneth Charron, Attorney for SDIY, by e-mail concurrently with this letter for distribution to SDIY employees; in addition, that Notice has been posted in the main office of Pacific Imperial Railroad, Inc.; and
- (2) currently, there are no shippers on the affected rail line, so that a notice to shippers under 49 C.F.R. § 1150.32(b) or 49 C.F.R. § 1150.42(b) cannot be sent.

Very truly yours,



Thomas F. McFarland  
*Attorney for Pacific Imperial Railroad, Inc.*

THOMAS F. MCFARLAND

Ms. Cynthia T. Brown, Chief  
January 2, 2013  
Page 2

cc: Kenneth Charron, Esq., *kenneth.charron@railamerica.com*,  
*w/copy of Notice under 49 C.F.R. § 1150.32(e) or*  
*49 C.F.R. § 1150.42(e)*  
Donald J. Stoecklein, Esq., *djs@slgseclaw.com*  
Mr. Chas McHaffie, *crm721@cox.net*