

ORIGINAL
R.A.K.

AVIATION TECHNOLOGIES LTD.

P.O. BOX: #73, Tonopah, Nevada 89049
Administrative Offices: 4959 - Talbot Lane, Unit # 69, Reno, Nevada 89509
Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA

Robert Alan Kemp

Chief Executive Officer - Aviation Technologies Ltd.

[Representing]

NEVADA CENTRAL RAILROAD

VIA - USPS and IMMEDIATE FAX FILING

(Friday), October 13, 2006

Mr. Vernon A. Williams, Secretary
Office of the Secretary
Surface Transportation Board
1925 K Street, NW Room 711
Washington, D.C. 20423-0001

CERTIFIED MAIL: 7001-1140-0001-5592-6073

RE: Docket No.

AB-33 (SUB-NO. 230X)

ENTERED
Office of Proceedings

Public Comment Letter: Concerning

OCT 30 2006

Union Pacific Railroad Company

Part of
Public Record

-- ABANDONMENT EXEMPTION --

Dear Secretary Williams:

We have enclosed the instant Original and ten copies of: NEVADA CENTRAL RAILROAD's Public Comment Letter in response to Union Pacific Railroad Company's ABANDONMENT EXEMPTION Filed with the Board on October 10th, 2006.

If You or Your Staff have any questions or comments, please feel free to contact me personally.

Very truly yours,

Robert Alan Kemp (775) 827-3258

Acting Representative and Legal Resident Agent for: **NEVADA CENTRAL RAILROAD**

Enclosures: Public Notices, Verification, Certification of Service

cc: Mr. John T. Digilio, Jr., Vice Chairman - Director/President, Nevada Central Railroad
Mr. Joseph Anthony McNulty, III - Director/Vice President, Nevada Central Railroad

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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**- NEVADA CENTRAL RAILROAD -
- PUBLIC COMMENT LETTER -**

**PUBLIC NOTICE OF INTENT TO ACQUIRE AND PROVIDE FOR
THE MAINTENANCE OF INTERSTATE COMMERCE AND
OPERATION OF RAIL TRANSPORTATION SERVICES IN WASHOE
COUNTY, NEVADA, AND LASSEN COUNTY, CALIFORNIA.**

**THIS INFORMATION IS PROVIDED BY NEVADA CENTRAL RAILROAD IN
RESPONSE TO THE PETITION FOR EXEMPTION FILED BY UNION PACIFIC
RAILROAD TO THE STB ON OCTOBER 10TH., 2006.**

1. In Section (I.) Page-2., UNION PACIFIC RAILROAD COMPANY states that:

"There is no practicable possibility for new rail business on the line." "There is no overhead traffic on the line."

2. The [Nevada Central Railroad] hereinafter (NCR), a Railroad Corporation of Nevada, hereby respectfully informs the Surface Transportation Board hereinafter (the Board), that NCR intends to initially institute and maintain Class - III Railroad Operations on the subject lines for which the Union Pacific Railroad Company wishes to dispose, publically described by the Union Pacific Railroad Company as identified for ABANDONMENT in Washoe County, Nevada, and Lassen County, California, within the Union Pacific Railroad Company's, hereinafter (UP or UP's) Petition for Exemption Docket: AB-33 (Sub-No. 230X). Planned Operations by NCR Include but are Not Limited to the Following.

2-A. Commercial Transportation of unfinished Metals, Chemicals, and Equipment necessary for and in the Manufacturing Production, and Processing of Industrial Products to facilities to be located adjacent to the lines for which NCR has [ALREADY Contracted Rail Transportation Services].

2-B. Commercial Transportation of either processed and or unprocessed Raw Material as either Liquid, Gaseous, or Solid (state's) of Fuel, and or Additives and Related Materials for the

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Generation of Electrical Power necessary to support the Maintenance and Operation of Heavy High Speed Mainline Railroad Operations within the State of Nevada, with Future Extensions into California, Oregon, Washington State, Arizona, New Mexico, and Texas, as well as Canada and Mexico.

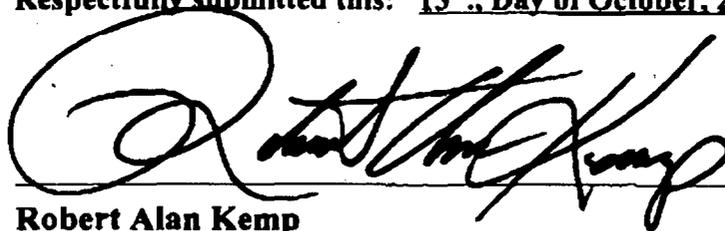
2-C. Commercial Mainline Connection and Operations as a future extension as part of the NCR-ByPass-™, presently under development by NCR as a Commercial Proprietary Sole Source federally qualified Heavy Highspeed Railroad (Freight and Passenger System Construction Project) within the State of Nevada previously Noticed and Filed with the STB by NCR on July 14th, 2003, referenced to Finance Docket No: 34382, that is intended to eventually link to locations in Canada and Mexico as the First Dedicated North-South: Heavy High Speed Freight and Passenger Railroad System within the North American Continent that will utilize 68% less Fossil Fuel and will be 98% Less Polluting than current (US and Canadian): Main Line Class - I. Railroad Operations.

3. Therefore, NCR now confirms to the Board that the (critical): US-Federal Government Granted Railroad Right of Way presently in full effect, should be Maintained and Preserved with regard to the subject lines for which UP has identified as No Longer Required by UP, now confirmed by UP for legal and operational Abandonment.

4. Please find and review the attached Public Notice by NCR to both the US-Department of Energy, and US-Department of Transportation/STB executed in Las Vegas Nevada by Warranted NCR-Staff: on Monday, May 17th, 2004 herein identified as: U.S. FEDERAL GRAND JURY EXHIBIT: NCR -

113B.

Respectfully submitted this: 13th, Day of October, 2006.



**Robert Alan Kemp
Chairman & CEO., AVIATION TECHNOLOGIES LTD.,
4959 - Talbot Lane, Unit: # 69
Reno, Nevada, 89509 (775) 827- 3258
Representing: NEVADA CENTRAL RAILROAD**

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U.S. FEDERAL GRAND JURY EXHIBIT: NCR - 113B

LAS VEGAS PUBLIC COMMENTS 5/17/2004

Page 1

YUCCA MOUNTAIN SCOPING MEETING PUBLIC COMMENTS

REPORTER'S TRANSCRIPT OF PUBLIC COMMENTS

Taken at Cashman Center
850 Las Vegas Boulevard North, Rooms 103-106
Las Vegas, Nevada

On Monday, May 17, 2004
At 3:00 p.m.

Reported by: Deborah Ann Hines, CCR #473, RPR

Page 3

To keep it underground, this is what I suggest. Dig the hole underground. Make the hole run directly to Yucca Mountain. That way nothing above ground would ever be seen.

I think DOE should have the assessment that they need to build the rail system, but keep it underground where it can be utilized and sealed off just in case something may come up as a horrific accident. That way DOE can be protected, we can protect our government, we can protect the people and we can protect the land. Everything, all the living creatures on it. I would support this one hundred percent as long as they kept it underground. God bless you and good luck to you.

Overall we do not to have our nuclear energy. We've got to have it because we see what gas prices are doing. We see our water prices are getting ready to go up. Neutralize it and use it. We should save it for every life that is given to us by our God's rights instead of inheriting what, poverty. We inherit the wealth and all the energy, that makes to keep us what, wealthy for the remainder of the turn of the centuries.

Because, remember, nuclear energy is around forever. Am I correct? So let's treat it like it's

ISAAC HENDERSON: My comment is on the clear transportation from Caliente to Las Vegas. Does this program include the protection of all animals, the welfare of the county, the welfare of the city, the welfare of the township, and also does it protect and save our military from having to come in to clean up if there happened to be a nuclear accident that would give us total neutralization of the event in order to put everything back into perspective for us to make it was before the incident happened.

Also I want to know if our radios are protected from the waste. Our historical society is protected, our mountains and desert are protected in Nevada, just as well as the media and newspaper, radios, teachers, lawyers, judges, the general public that would be protected also just in case if there was an accident.

Also want to know if there is any grants that would be utilized some of the services that DOE has for Caliente to help their needy, to help the poor, also for jobs, food, benefits in order to help keep that project continuously running. Once we start it, we want to continue it, not to discontinue it.

going to be around forever. But let's use it and keep it where we can suppress it in order to what, channel it to the right areas where it can give us what, the ultimate results as far as our what, our lifestyle, the good life. All we want to do is the good life. And DOE would like to have the good life as far as the government to come and maintain and keep control.

I want DOE to keep control because you guys have what, the will, the way, the mind, the attitude, the experience and the education and the engineering to do this. So I feel as though nothing is impossible for you to do. It's up to you to make that decision. I hope DOE gets what they want, but I hope that we keep it underground so DOE gives us what we want.

ROBIN NEW: Background. It is my belief that many individuals and organizations currently opposed to the Yucca Mountain Project would experience enormous relief of their fears if they were able to serve daily, as I have, the professionalism and integrity of the women and men who work on the Yucca Mountain Project. I have simply never seen a higher level of dedication and work ethic in any other workplace in the three decades I have been in

U.S. FEDERAL GRAND JURY EXHIBIT: NCR - 113B

LAS VEGAS NEVADA COMMUNITY DEVELOPMENT

1 and so that we can be in communication in regards
 2 other citizen proposal in this area that may
 3 happen through these counties. Contact me at
 4 Netherton (775)324-7667.

5 We submit our proposals directly to the
 6 Reid and Egan. You can also contact their staff
 7 also. Generally we let the BLM know as a courtesy,
 8 but BLM does not have to treat the land as a
 9 wilderness study area. They do not have to treat it
 10 any differently unless it does not affect, become
 11 designated wilderness areas.

12 RAYMOND IZENSON against Yucca and against
 13 transportation of waste. I feel that it's a
 14 dangerous situation especially with the world
 15 conditions today. Somewhere between New York or
 16 wherever else the waste is coming from and here
 17 there's too many chances of something happening, and
 18 they're just people between here and there.

19 Obviously my voice is New York but you don't
 20 know me the tape, but I moved here for my retirement.
 21 Initially I'm still working in a different career,
 22 but I get away from certain things. I love Las
 23 Vegas. I now have grandchildren here living here in
 24 Las Vegas and don't want the dangers of waste being
 25 90 miles away.

1 I'm the chairman, CEO
 2 Nevada Central Railroad, dba Great Basin Railroad,
 3 dba Nevada Northern Railroad. I'm the CEO of
 4 Aviation Technologies Limited, a Nevada corporation,
 5 incorporated in 1987 in the state of Nevada.

6 The Nevada Central Railroad is owned by
 7 Aviation Technologies Limited. Nevada Central
 8 Railroad is a Nevada Corp. that was incorporated in
 9 July of 2003.

10 History regarding the intended construction
 11 of a railroad by Aviation Technologies Limited and
 12 Nevada Central Railroad is as follows: In 1988 I,
 13 acting on behalf of Aviation Technologies Limited,
 14 executed an analysis and study within the western
 15 United States from El Paso, Texas west through New
 16 Mexico, Arizona, Nevada and north through Oregon,
 17 Washington state ending at Vancouver, Canada of the
 18 viability of the construction of a commercial
 19 north/south west/central region heavy, high speed
 20 mainline rail system.

21 In 1991 we completed the initial scoping and
 22 came to conclusions in relation to the first phase of
 23 potential construction of what was then named the
 24 Nevada Central Railroad, and by '93 made final
 25 corporate decisions relating to the financial

1 Also for our whole economy here with the
 2 tourism industry and everything else why would people
 3 come here if we're sitting on a hot bed?
 4 Additionally the people are saying they're for it
 5 because it's going to bring jobs here for the
 6 people or whatever who may get jobs in the
 7 Nevada. Overall it's cheaper to buy the land and not
 8 have the waste come there to have to come here
 9 and endanger everyone's lives.

10 But there are jobs available for them
 11 somewhere. If they want to stay in their own area,
 12 fine, buy them out and let them stay there but don't
 13 bring the waste through the state or anywhere else.
 14 It's dangerous for the state. We have the water down
 15 here in Lake Mead. We have over a million population
 16 in Clark County. You have people retiring here,
 17 moving here for tourism, millions of people per year are
 18 coming here. That would just endanger everybody.

19 RYAN LEVENSON: I am just opposed to
 20 transporting it under very lax security and through
 21 areas that could be environmentally sensitive and
 22 that one accident could ruin our nation.

23 ROBERT ALAN KEMP: (STATEMENT ORALLY GIVEN
 24 TO BOB BLACK)
 25 I reside [redacted]

1 feasibility and traffic analysis to support the
 2 conclusion, execution and construction of a
 3 construction project that would be initiated within
 4 the state of Nevada on a route that was determined by
 5 the U.S. Department of Energy and identified by U.S.
 6 DOE as the Carlin route and Jean route.

7 We decided by 1996, after executing a number
 8 of meetings in Las Vegas, Nevada with the U.S.
 9 Department of Energy at the request of the U.S.
 10 Department of Energy, to move forward and initiate a
 11 commercial independent rail construction project. A
 12 documented proposal was provided by Aviation
 13 Technologies Limited to the U.S. Department of Energy
 14 Las Vegas, Nevada in 1996. That in concept was
 15 approved by Nye County Commission on October 15, 1996
 16 in Amargosa Valley.

17 ATL then proceeded, dba Nevada Central
 18 Railroad, to then execute the final construction type
 19 design specifications, and by 2002 executed a program
 20 to acquire necessary legal funding for the execution
 21 and construction of the Nevada Central Railroad in an
 22 approximate amount of four billion U.S. dollars
 23 deriving from commercial public bonding to be
 24 collateralized with the roadbed and railway system.

25 In 2003 Aviation Technologies Limited, by an

U.S. FEDERAL GRAND JURY EXHIBIT: NCR - 113B

LAS VEGAS

Page 41

Page 43

1 through its general counsel, Fritz Kahn, notified the
 2 U.S. Surface Transportation Board of its notice to
 3 execute a construction permit and begin construction,
 4 that was July 17, 2003, of the Nevada Central
 5 Railroad bypass. The trade name for that particular
 6 system owned and controlled by Aviation Technologies
 7 Limited through its wholly owned subsidiary Nevada
 8 Central Railroad is the NCR bypass, and that has been
 9 trademarked.

10 ATL and Nevada Central Railroad staff in
 11 July and August of 2003 contacted the U.S. Department
 12 of Energy in Washington, D.C. and provided the
 13 previously identified information to U.S. DOE staff
 14 working under the supervision and authority of
 15 Margaret S. Chu. U.S. Department of Energy staff
 16 provided Nevada Central Railroad and Aviation
 17 Technologies staff with the final 2003 EIS so that
 18 Nevada Central Railroad could provide same to the
 19 U.S. Surface Transportation Board, which has since
 20 been completed following the six-month waiting period
 21 under the Federal Rail Agency and Surface
 22 Transportation Board regulations following the
 23 initial notice of construction in 2003.

24 Surface Transportation Board has
 25 appropriately responded three times to ATL staff as

1 reply that was copied to U.S. Department of the
 2 Interior, Bureau of Land Management. Prior to
 3 Margaret Chu's provision of testimony to the United
 4 States Congress and Senate concerning her future
 5 requirements for the 2005 budget, which later
 6 included her subsequent decision followed by
 7 confirmation and communication by telephone, prior to
 8 her testimony to Congress of her decision in relation
 9 to the selection of the Caliente route.

10 At all reasonable times the U.S. Department
 11 of Energy has been made aware through both oral and
 12 documented communication of the existence and public
 13 notice of intent to construct the NCR bypass as a
 14 north/south route within the state of Nevada.

15 Mr. Fritz Kahn, general counsel for Nevada Central
 16 Railroad, executed a documented letter to the City of
 17 Ely on February 12th, 2004 to acting mayor Robert B.
 18 Miller, Mayor, City of Ely, informing the City of Ely
 19 that NCR had already executed its notice of intent to
 20 construct its north/south bypass route along the
 21 historic Nevada Northern Railway right-of-way that in
 22 general terms runs from the Ruth mine through Ely to
 23 McGill junction due north to Shafter and Covr. Union
 24 Cove and Shafter are the intersections to the Union
 25 Pacific east/west mainline that runs to Salt Lake

Page 42

Page 44

1 well as direct documented response to ATL and Nevada
 2 Central Railroad general counsel legal
 3 representatives in Washington, D.C.

4 Nevada Central Railroad staff and Aviation
 5 Technologies Limited staff replied to the notice of
 6 withdrawal that was publically noticed by U.S.
 7 Department of Interior, Bureau of Land Management
 8 through documented communication on Monday,
 9 March 29th, 2004 by copying original communications
 10 to Dennis Samuelson, BLM coordinator for the state of
 11 Nevada working under authority of Bob Abbey. Such
 12 documented communication was legally addressed and
 13 provided to Margaret S. Chu personally as confirmed
 14 as received on March 29th, 2004 at her offices within
 15 the Department of Energy.

16 ATL NCR staff confirmed receipt by U.S. BLM
 17 through direct oral communication with Dennis
 18 Samuelson and state of Nevada BLM director Robert
 19 Abbey, as well additional staff within Margaret Chu's
 20 office to include Jay Johnson and senior DOE staff
 21 directed by Margaret Chu.

22 I, Robert Alan Kemp, acting as a legally
 23 designated officer of Aviation Technologies Limited
 24 and the Nevada Central Railroad contacted Margaret
 25 Chu by telephone personally to confirm receipt of our

1 City.

2 The communication that I will provide to the
 3 U.S. Department of Energy in relation to the
 4 provision of comments today from Fritz Kahn will be
 5 identified by my initials RAK Exhibit 13-A.

6 On May 5th, 2004 Aviation Technologies and
 7 Nevada Central Railroad staff provided documented
 8 request for the inclusion of agenda items relating to
 9 the construction of the Nevada Central Railroad NCR
 10 bypass within the state of Nevada to White Pine
 11 County District Attorney Richard Sears, and White
 12 Pine County Clerk Mrs. Donna Bath.

13 ATL NCR staff provided the City of Ely city
 14 council by and through its district attorney, which
 15 is also Richard Sears, acting for and on behalf of
 16 the City of Ely, also to Jim Allworth, the city
 17 clerk, City of Ely, Nevada, and by and through Shane
 18 Bybee, the acting mayor pro tem, of its notice of
 19 intent for the inclusion of agenda items relating to
 20 the construction of the Nevada Central Railroad.

21 For purposes of identification in relation
 22 to the provision of comments today, I am going to
 23 identify the May 5th, 2004 notice to White Pine
 24 County District Attorney Sears as RAK 13-B.

25 For purposes of identification in relation

U.S. FEDERAL GRAND JURY EXHIBIT: NCR - 113B

LAS VEGAS

1 to provision of comments today I'd like to refer to
 2 the documented notice to the City of Ely through City
 3 Attorney Richard Sears as RAK 13-C.

4 I'm going to include with my comments today
 5 to the U.S. Department of Energy a copy of Nevada
 6 Revised Statute chapter 37.230, which is condemnation
 7 by railroad companies. And I will refer to this in
 8 relation to my comments for purposes of
 9 identification as RAK Exhibit 13-D.

10 I'm going to include with my comments today
 11 the provision of a documented presentation that was
 12 executed to the White Pine County Commission as well
 13 as the City of Ely city council. And for purposes of
 14 identification I'll refer to that as RAK Exhibit
 15 13-E.

16 In conclusion the Nevada Central Railroad is
 17 a commercial railroad existing within the central
 18 corridor of the state of Nevada that in relation to
 19 U.S. Department of Interior federal statutes under
 20 U.S. congressional code as well as the U.S. Federal
 21 Railway Act exists as a railroad under construction.

22 Railroads under construction under the
 23 Federal Railway Act as well as regulations of the
 24 Department of Interior cannot be interfered with by
 25 any federal agency, state or local state governmental

1 rail alignment directly to the U.S. Department of
 2 Interior by and through the Secretary of Interior to
 3 the U.S. government. We will copy the provision of
 4 this filing to Margaret S. Chu and Robert Abbey,
 5 State of Nevada, Director Bureau of Land Management.

6 ATL NCR staff have confirmed with U.S.
 7 Department of Energy staff in Washington, D.C. that
 8 the 2003 EIS was a legally qualified final EIS under
 9 U.S. Environmental Protection Agency regulations that
 10 meets in excess of 70 percent of the EIS requirements
 11 for the construction by U.S. Department of Energy of
 12 a rail corridor within the state of Nevada.

13 In direct conflict with documented decisions
 14 provided to ATL NCR staff by and through the U.S.
 15 Surface Transportation Board, office of SEA, ATL NCR
 16 staff intend to proceed and notify Congress and
 17 Senate of the United States of the existing conflict
 18 that relates between Surface Transportation Board and
 19 U.S. Department of Energy in relation to the
 20 characterization, specific technical applicability
 21 and identification referencing of information
 22 contained within the U.S. DOE final EIS of 2003 that
 23 is applicable within the scope of the Surface
 24 Transportation Board filing by ATL NCR staff to the
 25 STB in 2003 to meet either NEPA or commercial EIS

1 incorporated entities, such as a city or town, or
 2 other commercial entity with the exception of a
 3 preexisting commercial railroad.

4 ATL NCR submits that it has properly noticed
 5 the U.S. Department of Energy of its legally defined
 6 existence as a railroad under construction within the
 7 legislation approved by Senate and Congress as an
 8 existing railroad system within the state of Nevada
 9 authorized by Congress as a commercial transport
 10 provider capable of providing a connection to Yucca
 11 Mountain repository for purposes of meeting all U.S.
 12 DOE heavy transportation requirements.

13 The Nevada Central Railroad, by and through
 14 its general counsel and legal staff in Washington,
 15 D.C., will execute a filing with the Secretary of
 16 Interior in June 2004 to obtain a permanent easement,
 17 a portion of which has already been identified by
 18 U.S. Department of Energy Margaret S. Chu for land
 19 withdrawal in direct conflict with Department of
 20 Interior and BLM regulations that integrate with the
 21 Federal Railway Act concerning impact to a commercial
 22 railroad operation and/or construction project.

23 NCR will then proceed to provide a general
 24 map, a legal description and GPS coordinates of its
 25 intended corridor as well as specific site survey

1 requirements under the construction permit process of
 2 the Surface Transportation Board, U.S. DOT. That
 3 concludes my comments.

4 (Thereupon the proceedings
 5 were concluded at 8:00 p.m.)
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U.S. FEDERAL GRAND JURY EXHIBIT: NCR - 113B

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LAS VEGAS PUBLIC COMMENTS 5/17/2004

Page 49

1 CERTIFICATE OF REPORTER
 2 STATE OF NEVADA)
 3 SS:
 4 COUNTY OF CLARK.)
 5 I, Deborah Ann Hines, certified shorthand
 6 reporter, do hereby certify that I took down in
 7 shorthand (Stenotype) all of the proceedings had in
 8 the before-entitled matter at the time and place
 9 indicated; and that thereafter said shorthand notes
 10 were transcribed into typewriting at and under my
 11 direction and supervision and the foregoing
 12 transcript constitutes a full, true and accurate
 13 record of the proceedings had.
 14 IN WITNESS WHEREOF, I have hereunto affixed
 15 my hand this 19th day of May, 2004.

Deborah Ann Hines, CCR #473

Handwritten initials

10/28/2006 16:09 5108421511
10/31/1997 02:30 5206641059

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VERIFICATION

State of New York :)
County of Montgomery :) ss.

John T. Digillo, Jr., being duly sworn, deposes and states that he is the Vice Chairman & President of the NEVADA CENTRAL RAILROAD, and is authorized to make this verification, has read the foregoing Public Comment Letter and has personal knowledge that the facts asserted therein are true and accurate as stated to the best of his knowledge, information, and belief.

Handwritten signature of John T. Digillo, Jr.

John T. Digillo, Jr.

APPEARED Mr. John T. Digillo, Jr. SUBSCRIBED AND SWORN TO before me this 28 day of October, 2006.

Handwritten signature of Notary Public
Notary Public

Seal:

Notary Public Seal of New York
0116485732
Commission Expires On 10/31/2010

My Commission Expires: 10-31-2010

Handwritten initials

RAK.

AVIATION TECHNOLOGIES LTD.

P.O. BOX: # 73, Tonopah, Nevada 89049

Administrative Offices: 4959 - Talbot Lane, Unit # 69, Reno, Nevada 89509

Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA

Robert Alan Kemp

Chief Executive Officer - Aviation Technologies Ltd.

[Representing]

NEVADA CENTRAL RAILROAD

VIA - USPS & FAX

(Monday), October 30, 2006

**Mr. Vernon A. Williams, Secretary
Office of the Secretary
Surface Transportation Board
1925 K Street, NW Room 711
Washington, D.C. 20423-0001**

RE: Docket No. AB-33 (SUB-NO. 230X)

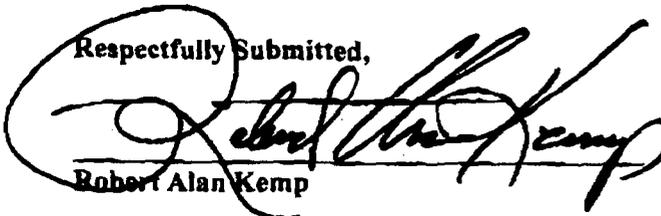
Public Comment Letter: Concerning

**Union Pacific Railroad Company
-- ABANDONMENT EXEMPTION --**

CERTIFICATE OF SERVICE

I, Robert Alan Kemp certify that on this 30th day of October, 2006, that I made service of the attached original NCR Public Comment Letter along with 10-Copies, upon the Surface Transportation Board, (STB), and mailed a Single Copy of same to all listed Parties, Agencies, and Individuals, listed for Service in the UP Petition for Exemption: AB-33 (Sub. NO. 230X), by depositing same into the United States First Class Mail with prepaid postage, and via IMMEDIATE FAX DELIVERY FILING on Monday October, 30th, 2006, to the STB at the address listed above.

Respectfully Submitted,



Robert Alan Kemp

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