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November 14, 2008

BY E-FILING

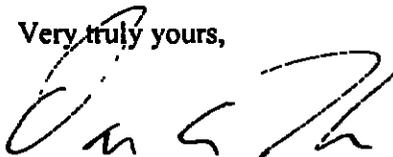
Anne K. Quinlan, Esq
Acting Secretary
Surface Transportation Board
Office of the Secretary
395 E Street, S W
Washington, DC 20423-0001

**Re: *United States Department Of Energy – Rail Construction And Operation –
Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, NV (STB Finance
Docket No. 35106)***

Dear Ms Quinlan

Enclosed for filing in the above-referenced docket please find the Nuclear Energy Institute's Notice of Intent to Participate in the public hearing scheduled for December 4, 2008

Very truly yours,



David A. Hirsh

Counsel for Nuclear Energy Institute

Enclosure

cc All parties of record

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No 35106

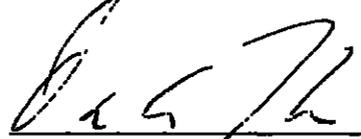
UNITED STATES DEPARTMENT OF ENERGY
- RAIL CONSTRUCTION & OPERATION -
CALIENTE RAIL LINE
IN LINCOLN, NYE, & ESMERALDA COUNTIES, NV

NOTICE OF INTENT TO PARTICIPATE

The Nuclear Energy Institute, Inc ("NEI"), the policy organization for the nuclear energy and technologies industry, and a party of record in this proceeding, hereby provides its notice of intent to participate at the public hearing which the Board has scheduled for December 4, 2008, in Las Vegas, Nevada

NEI requests a total of 20 minutes, which it proposes be shared by two speakers on its behalf, Paul Seidler, Senior Director, Nevada, and Everett Redmond II, Ph D, Senior Project Manager, Used Fuel Storage and Transportation. With their different backgrounds and expertise, NEI believes it can best present the views of the nuclear industry through a joint presentation by these speakers

Respectfully,



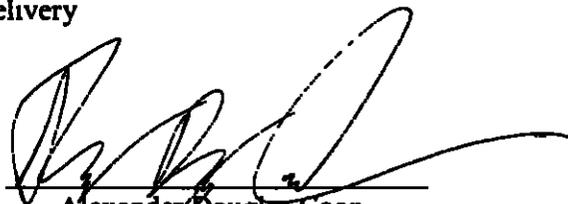
David A. Hirsh
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Counsel for Nuclear Energy Institute

November 14, 2008

CERTIFICATE OF SERVICE

I certify that I have, on this 14th day of November, 2008, served copies of the foregoing Notice of Intent to Participate upon all parties of record in this proceeding by first-class mail, postage prepaid, or a more expeditious method of delivery



Alexander Douglas Coon