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August 19, 2009

BY E-FILING

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

Re: *Sterlite (USA), Inc. – Acquisition and Operation Exemption – Copper Basin Railway, Inc., Line in Pinal and Gila Counties, AZ (STB Finance Docket No. 35291)*

Dear Ms. Quinlan:

Today, the undersigned received an inquiry from the Office of Proceedings, stating that the Board's staff was concerned that the Notice of Exemption filed on August 17, 2009, by Sterlite (USA), Inc. ("Sterlite") in the above-captioned proceeding, had not included information regarding interchange restrictions described in 49 C.F.R. § 1150.33(h) and that the Office of Proceedings was consequently proposing to delay the effective date of the Notice pending compliance with § 1150.33(h).

This is to clarify that, by the terms of the provision in question, submission of information regarding the matters described in that subsection is only required "*if* a proposed acquisition or operation of a rail line of change of operators involves a provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, pre-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means ('interchange commitment')" (emphasis added).

The proposed acquisition and operation would not involve any provision or agreement of the kind described in 49 C.F.R. § 1150.33(h). There is therefore no information described in 49 C.F.R. § 1150.33(h) that was required by that subsection to be included in Sterlite's Notice. For

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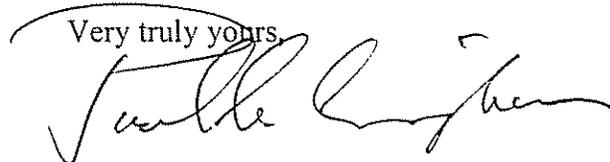
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that reason, absent further notice from the Board, we shall assume that the Notice of Exemption was complete as of August 17, 2009, the date it was filed.

Thank you for bringing this matter to our attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul A. Cunningham". The signature is written in a cursive style with a large, sweeping initial "P".

Paul A. Cunningham
Counsel for Sterlite (USA), Inc.