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Via E-filing

April 30, 2008

Hon Ann K Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

Re STB Finance Docket No 35106  
United States Department of Energy – Rail Construction and Operation  
- Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, Nevada  
Notice of Intent to Participate

Dear Secretary Quinlan

Friends of the Earth is writing in response to the Surface Transportation Board, Notice of Construction and Operation Application and Adoption of Procedural Schedule, published in the *Federal Register*, on April 16, 2008

Pursuant to the Board's Notice, we hereby provide notice of intent to participate in this proceeding as a party of record. We respectfully request that we receive copies of all filings, submissions, discovery requests and responses, notices, and decisions made in this proceeding.

We would prefer to provide and receive service of copies by email using the address above provided.

Thank you

Sincerely,

Fred Millar, Ph D  
Consultant, Friends of the Earth