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Native Community Action Council  
P O Box 140  
Baker, NV 89311

April 30, 2008

Secretary  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

RE: Finance Docket No. 35106

Dear Secretary,

The enclosed Native Community Action Council, Notice of Intent to Participate is submitted for filing in the *United States Department of Energy – Rail Construction and Operation – Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, NV STB Finance Docket No. 35106.*

In accordance with 49 CFR § 1150.10 (g), the original and 10 copies are enclosed for filing by the Surface Transportation Board and the United States Department of Energy representative has been served.

Sincerely,

Margene Bullcreek, President  
Native Community Action Council

MB/iz

Cc: NCAC

ENTERED  
Office of Proceedings

MAY 8 2008

Part of  
Public Record

Native Community Action Council  
Notice of Intent to Participate  
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**NATIVE COMMUNITY ACTION COUNCIL  
NOTICE OF INTENT TO PARTICIPATE**

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**BEFORE THE  
UNITED STATES  
SURFACE TRANSPORTATION BOARD**

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**Finance Docket No. 35106**

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**United States Department Of Energy  
Rail Construction And Operation  
Callente Rail Line In Lincoln, Nye,  
And Esmeralda Counties, Nevada**

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**April 30, 2008**

Margene Bullcreek, President  
Native Community Action Council  
P O. Box 155  
Tooele, UT 84074

Telephone: (435) 831-6009  
E-mail: [nativecac@gmail.com](mailto:nativecac@gmail.com)

## **Native Community Action Council Notice of Intent to Participate**

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The Native Community Action Council hereby files it's Notice of Intent to Participate as a Party of Record pursuant to Section 10901 of Title 49, USC (49 USC 10901) to participate in Surface Transportation Board matter, Finance Docket No. 35106 filed with the Secretary, of the Surface Transportation Board

On April 11, 2008 the Surface Transportation Board announced that it has adopted a procedural schedule concerning the United States Department of Energy's application seeking authority to construct and operate an approximately 300 mile railroad line in Nevada in the Board proceeding entitled, *United States Department of Energy – Rail Construction and Operation – Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, NV STB Finance Docket No. 35106.*

The Native Community Action Council designates the following person as it's official point of contact for all filings, documents, materials and other matters in this proceeding:

Margene Bullcreek, President  
Native Community Action Council  
P.O. Box 155  
Tooele, UT 84074

Telephone: (435) 831-6009  
E-mail: [mbullcreek@yahoo.com](mailto:mbullcreek@yahoo.com)

## CERTIFICATION OF SERVICE

I hereby certify that in accordance with 49 CFR § 115010 (g), the original and 10 copies of the foregoing document was filed with the Secretary of the Surface Transportation Board and a copy of each served upon the United States Department of Energy representatives via first class mail at:

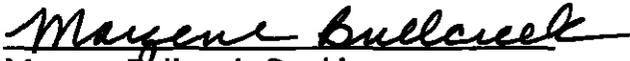
Secretary  
Surface Transportation Board  
395 E. Street, S.W.  
Washington, DC 200423-0001

Director  
Office of Civilian Radioactive Waste Management  
United States Department of Energy  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Director  
Office of Logistics Management  
United States Department of Energy  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Assistant General Counsel for Civilian Nuclear Programs  
ATTN: Bradley L. Levine, GC-52  
United States Department of Energy  
1000 Independence Avenue, S.W.  
Washington, DC 20585

Signed this 30<sup>th</sup> day of April, 2008.

  
Margene Bullcreek, President  
Native Community Action Council