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DEPARTMENT OF JUSTICE



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May 7, 2008

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



RE: STB Finance Docket No. 35106
*United States Department of Energy - Rail Construction and Operation
Caliente Line in Lincoln, Nye, and Esmeralda Counties, Nevada*

Notice of Intent to Participate

Dear Secretary Quinlan:

This letter responds 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, the California Attorney General hereby provides notice of his intent to participate in this proceeding as a party of record. He respectfully requests that he receive copies of all filings, submissions, discovery requests and responses, notices, and decisions made in this proceeding, through the undersigned.

We would prefer to provide and receive service of all filings and documents by e-mail, addressed to the e-mail address at the top of this letter.

Thank you for your kind assistance in this matter

ENTERED
Office of Proceedings
MAY 8 - 2008
Part of
Public Record

Ann K. Quinlan
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Sincerely,



SUSAN L. DURBIN
Deputy Attorney General

For EDMUND G. BROWN JR.
Attorney General

cc

California Attorney General's Office.
Ken Alex, Senior Assistant Attorney General
Brian Hembacher, Deputy Attorney General
Timothy Sullivan, Deputy Attorney General

California Energy Commission:
Barbara Byron, Senior Energy Analyst
Kevin Bell, Senior Staff Counsel

United States Department of Energy:
Director, Office of Civilian Waste Management
Director, Office of Logistics Management
Assistant General Counsel for Civilian Nuclear Programs,
ATTN. Bradley L. Levine

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *United States Department of Energy - Rail Construction and Operation
Caliente Line in Lincoln, Nye, and Esmeralda Counties, Nevada*

No STB Finance Docket No. 35106

I declare.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On May 7, 2008, I served the attached **LETTER TO HONORABLE ANN K. QUINLAN, DATED MAY 7, 2008, NOTICE OF INTENT TO PARTICIPATE** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P O Box 944255, Sacramento, CA 94244-2550, addressed as follows

Director
Office of Civilian Radioactive Waste
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

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

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on May 7, 2008, at Sacramento, California

Bessie Wong
Declarant

Bessie Wong
Signature