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February 7, 2011

Via Electronic Filing

Ms. Cynthia Brown, Chief  
Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings  
FEB - 7 2011  
Part of  
Public Record

Re: V&S Railway, LLC, Petition for Declaratory Order  
STB Finance Docket No. 35459

Dear Ms. Brown:

Hutchinson Transportation Company, Inc., Hutchinson Salt Company, Inc., and BNSF Railway Company support the Petition for Intervention filed by the Association of Railway Museum, Inc. and the Tourist Railroad Association, Inc. ("ARM/TRAIN") in the above-captioned proceeding. ARM/TRAIN's input and perspective on these issues will assist the Board in evaluating the issues raised in the Petition for Declaratory Order filed by V&S Railway.

As noted in our January 18, 2011 filing in this proceeding, we disagree with V&S Railway's position in this matter and look forward to submitting our verified evidence and legal argument on the three questions referred to the Board by the U.S. District Court upon the Board's establishment of a procedural schedule for the submission of such evidence and argument by all interested parties. In order to evaluate these legal issues, the Board will first need to understand and determine the relevant facts relating to rail service at the Hutchinson Salt Company facility.

Sincerely,



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**CERTIFICATE OF SERVICE**

I certify that I this day served a copy of the foregoing letter on V&S Railway, LLC, by e-mailing a copy to its counsel Fritz R. Kahn, Esq., at xicgc@verizon.net, and upon the Association of Railway Museums, Inc., and the Tourist Railroad Association, Inc., by e-mailing a copy to their counsel, Robert T. Opal, Esq., at RobertTOpal@aol.com.

Dated at Washington, DC, this 7th Day of February 2011.



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Edward J. Fishman