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November 24, 2010

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

**RE: Finance Docket No. 35380, San Luis & Rio Grande Railroad
Petition for a Declaratory Order
Reply to Petition filed by Clean Water, Inc.**

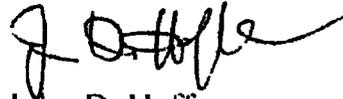
I am writing on behalf of the San Luis & Rio Grande Railroad ("SLRG") to reply to the "Petition" filed on November 23, 2010, by Clean Water, Inc. ("Clean Water") asking the Board to hold a field hearing in the above-captioned proceeding.

Clean Water's "Petition" is essentially the same as that previously submitted on November 5, 2010. The only discernable difference is that Clean Water added ten additional names. SLRG replied on November 15, asking the Board to reject this submission as late-filed insofar as the October 12, deadline for filing public comments had passed. In addition, SLRG asked the Board to deny this request as contrary to its rules for holding oral hearings. As SLRG explained previously, Clean Water's hearing request fails because it does not explain why written submissions are inadequate. Moreover, there are no material facts in dispute. The

questions presented here involve legal and policy considerations rather than factual determinations. Accordingly, it would make little sense for the Board to spend its limited resources to conduct any sort of field hearing.

Accordingly, SLRG requests that the Board deny Clean Water's late-filed request for an oral field hearing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Heffner", written in a cursive style.

John D. Heffner

cc: All parties