

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

Subject: Docket No. FD 36471

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January 14, 2021
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Public Record

Ms Brown,

Our reasons for filing our objection, the Colorado Midland and Pacific Railway recently signed a lease agreement with Union Pacific to use the Tennessee Pass rail line, which runs through Browns Canyon National Monument. Simultaneously, CMP filed for an exemption from regulations that should apply to this lease and ensuing rail operations.

We believe that the proposed transaction is neither "routine" nor "noncontroversial" and, therefore, does not qualify for an exemption. Additionally, we believe statements in the CMP application are either false or misleading, which should disqualify the request for an exemption.

Examples include the CMP statement that there will be no change in service over the Tennessee Pass line. The Tennessee Pass line has been dormant for 24 years; therefore, any service on the line will be a significant change of service.

Also, CMP claims its revenues from operating the rail line would not exceed \$5 million per year, a limit beyond which the railway would be subject to additional regulation. Since operating costs alone would exceed \$5 million per year, we believe CMP's projected revenues are intentionally underestimated to avoid appropriate scrutiny and regulation.

We live in Buena Vista, CO and 10 or more trains each with 100 cars would drastically change our town. The chances of an heavy crude spill are high along a Gold Metal trout stream and Browns Canyon National Monument, as these rails have not been used since 1997 and its doubtful the railroad will bring them up to specifications for this usage as they are lying to in their application to begin with.

Thanks for your time and consideration in this matter.

Sincerely,

Dan, Liz Steve, Makenzie, Robin and Heidi Murray

CC: Parties of Record