



Transportation Division

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May 17, 2021

ENTERED
Office of Proceedings
May 17, 2021
Part of
Public Record

VIA Electronic Filing

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

Re: *American Rocky Mountaineer, LLC—Petition For Exemption from
49 U.S.C. Subtitle IV*, Finance Docket No. 36468

Dear Ms. Brown:

This is in response to the letter dated May 7, 2021, submitted to the Board by American Rocky Mountaineer, LLC (“ARM”), wherein ARM reaffirmed its prior request that the Board expedite consideration of its petition for a blanket exemption from Subtitle IV of Title 49 and issue a decision before May 31, 2021, as it is presently hiring employees, booking passengers, and planning for equipment test runs. In the alternative, ARM requested that the Board “grant ARM a transaction/service exemption from 49 U.S.C. § 10901 to enter into an agreement with Union Pacific Railroad Company to operate the passenger rail excursion service between Denver, Colorado and Moab, Utah, as described on pages 2-3 of the ARM Petition, by May 31.”

The Transportation Division of the Sheet Metal, Air, Rail and Transportation Workers (“SMART-TD”) does not object to ARM’s request for expedited handling of its petition. In addition, SMART-TD does not object to the Board granting ARM a limited exemption for this transaction from the prior approval requirements of 49 U.S.C. § 10901 while the Board considers the arguments presented by the parties on ARM’s full petition for a blanket exemption.

Sincerely,

A handwritten signature in black ink, appearing to read "Erika A. Diehl-Gibbons". The signature is fluid and cursive, with the first name "Erika" being more prominent.

Erika A. Diehl-Gibbons
Associate General Counsel

cc: K.C. Brodar, General Counsel

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been e-filed this 17th day of May, 2021, via the STB's e-filing system, and served via email or regular postage prepaid mail upon the parties of record.

/s/ Erika A. Diehl-Gibbons
Erika A. Diehl-Gibbons