

April 1, 2019

Via electronic filing

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

Re: *City and County of Denver – Verified Petition for Declaratory Order*, STB Docket No. FD 36263
The Denver Rock Island Railroad Company v. The City and County of Denver, Colorado, STB Docket No. NOR 42162

Dear Ms. Brown:

The City and County of Denver (“City”) files this reply in response to the Petitions to Intervene filed on March 19, 2019, by Iron & Metals, Inc. (“IMI”) in the above captioned proceedings. These matters are currently being held in abeyance pending the outcome of mediation under the auspices of this Board. To the extent IMI wishes to intervene if mediation is unsuccessful and these matters resume, the City does not object to IMI’s intervention. However, the City does not perceive any benefit to IMI’s participation in mediation, which is being established in order for the City and the Denver Rock Island Railroad Company (“DRIR”) to resolve issues that have arisen as between DRIR and the City.

Please do not hesitate to contact me if you have any questions.

Respectfully submitted,



Allison I. Fultz
Counsel for City and County
of Denver