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THE FOUNDRY BUILDING

1055 THOMAS JEFFERSON STREET NW SUITE 500 WASHINGTON, DC 20007  
TELEPHONE: 202/342-5200 FACSIMILE: 202/342-5219

RICHARD BAR  
BRENDAN COLLINS  
STEVEN JOHN FELLMAN  
EDWARD D. GREENBERG  
KATHARINE FOSTER MEYER  
DAVID K. MONROE  
TROY A. ROLF  
DAVID P. STREET  
KEITH G. SWIRSKY  
THOMAS W. WILCOX  
CHRISTOPHER B. YOUNGER

SVETLANA B. LYUBCHENKO

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MINNESOTA OFFICE:  
700 TWELVE OAKS CENTER DRIVE, SUITE 204  
WAYZATA, MN 55391  
(T) 952/449-8817 (F) 952/449-0614

WRITER'S DIRECT E-MAIL ADDRESS  
TWILCOX@GKGLAW.COM

WRITER'S DIRECT DIAL NUMBER  
202-342-5248

August 14, 2017

**By E-Filing**

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

Re: Docket No. FD 36005, *KCVN, LLC and Colorado Pacific Railroad, LLC – Feeder Line Application – Line of V and S Railway, LLC, Located in Crowley, Pueblo, Otero, and Kiowa Counties, Colorado*

Dear Ms. Brown:

This letter responds to the request of the Surface Transportation Board in its Decision served in this proceeding on July 31, 2017 that KCVN, LLC and Colorado Pacific Railroad, LLC ("Applicants"), agree to engage in Board-sponsored mediation to attempt to resolve the net liquidation value ("NLV") of the Line at issue in this feeder line proceeding.

Applicants believe they have presented the best evidence of record on the NLV of the Line as defined in the Decision, which evidence fully supports their

NLV of \$5,552,518. This NLV is far more supported and realistic than the NLV submitted by V&S Railway, LLC, which is nearly *twice* what V&S originally paid for the Line 12 years ago and has largely neglected for the past six years. Nevertheless, Applicants appreciate the Board's desire for parties to attempt to resolve their disputes through mediation. Applicants therefore agree to participate in Board-sponsored mediation to try to resolve the NLV using the procedures outlined in 49 C.F.R. §1109.3.

Pursuant to their motion filed in this proceeding on August 7, 2017, Applicants respectfully request that, prior to the first mediation session, V and S Railway, LLC should either (1) verify that the Line assets and classifications it asserted in its August 30, 2016 Comments on the feeder line application have not materially changed, or (2) if it cannot so verify, submit a revised asset inventory and classification of the Line.

Sincerely,



Thomas W. Wilcox  
*Attorney for KCVN, LLC and  
Railroad, LLC*

*Colorado Pacific*

Cc: All parties on the official service list for FD 36005

**CERTIFICATE OF SERVICE**

I do hereby certify that on this 14th day of August, 2017, I have served a copy of the foregoing letter on the following parties by method indicated:

*By e-mail:*

Eric M. Hocky, Esq.  
Clark Hill PLC  
One Commerce Square  
2005 Market Street, Suite 1000  
Philadelphia, PA 19103

*By US mail, postage prepaid:*

John P. Dring (by US Mail, postage prepaid)  
Federal Energy Regulatory Commission  
Office of Administrative Law Judges  
888 First Street, NE  
Washington, DC 20426

Karl Morrell  
Karl Morrell & Associates  
655 Fifteenth Street, N.W.  
Suite 225  
Washington, DC 20005

Robert Knief  
Bartlett Grain Company  
4900 Main Street, Suite 1200  
Kansas City, MO 64112

Shallen Bhat  
4201 E. Arkansas, Rm. 262  
Denver, CO 80222

Ryan Wanamaker  
Cando Rail Services  
830 Douglas Street  
Brandon, MB R7A 7B2



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Thomas W. Wilcox