

206408

October 15, 2002

Via Messenger

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001



ENTERED
Office of Proceedings
OCT 15 2002
Part of
Public Record

RE: STB Finance Docket No. 34178, *Dakota, Minnesota & Eastern Railroad Corporation and Cedar American Rail Holdings, Inc.—Control—Iowa, Chicago & Eastern Railroad Corporation.*

Dear Secretary Williams:

Enclosed please find an original and twenty-five (25) copies of the "Notice of Intent to Participate" of the National Industrial Transportation League ("the League") to be filed in the above-referenced docket. In compliance with the Board's decision in this docket served September 26, 2002, the League also encloses a 3.5-inch IBM compatible floppy diskette containing an electronic copy of the foregoing Notice compatible with WordPerfect 9.0.

Also, enclosed is one additional copy of the Notice for stamp and return. Kindly date-stamp the additional copy for return to this office by messenger.

If you have any questions, please do not hesitate to contact me. My office telephone number is (202) 331-8800.

Sincerely,


Nicholas J. Dimick
Michael H. Higgins

Attorneys for:

The National Industrial Transportation League

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB FINANCE DOCKET NO. 34178

**DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION
AND CEDAR AMERICAN RAIL HOLDINGS, INC.
—CONTROL—
IOWA, CHICAGO & EASTERN RAILROAD CORPORATION**

**NOTICE OF INTENT TO PARTICIPATE
OF
THE NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE**

Nicholas J. DiMichael
Michael H. Higgins
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1920 N Street, N.W.
Suite 800
Washington, D.C. 20036
(202) 331-8800

Attorneys for:

The National Industrial
Transportation League

Dated: October 15, 2002

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB FINANCE DOCKET NO. 34178

**DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION
AND CEDAR AMERICAN RAIL HOLDINGS, INC.
—CONTROL—
IOWA, CHICAGO & EASTERN RAILROAD CORPORATION**

**NOTICE OF INTENT TO PARTICIPATE
OF
THE NATIONAL INDUSTRIAL TRANSPORTATION LEAGUE**

Comes now the National Industrial Transportation League (“NITL” or “the League”), by and through its attorneys and submits this Notice of Intent to Participate in STB Finance Docket No. 34178, *Dakota, Minnesota & Eastern Railroad Corporation and Cedar American Rail Holdings, Inc.—Control—Iowa, Chicago & Eastern Railroad Corporation*, pursuant to the decision of the Surface Transportation Board served in this docket on September 26, 2002.¹

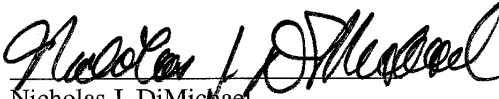
NITL states that it shall serve a copy of this Notice of Intent to Participate on the Secretary of the United States Department of Transportation, the Attorney General of the United States, and the applicants’ representatives, as required by the Board’s September 26, 2002 decision.

¹ By virtue of this Notice, the League informs the Board of its intent to participate in both the “primary application” process and the “related filings” process, as may be necessary.

Respectfully submitted,

The National Industrial Transportation League

By its Attorneys,

Handwritten signatures of Nicholas J. DiMichael and Michael H. Higgins in black ink.

Nicholas J. DiMichael

Michael H. Higgins

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October 15, 2002

CERTIFICATE OF SERVICE

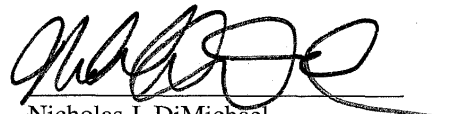
I hereby certify that I have served on this 15th day of October, 2002, a copy of the Notice of Intent to Participate of the National Industrial Transportation League by first-class mail on the parties listed below:

Secretary
United States Department of Transportation
400 Seventh Street, S.W.
Washington, D.C. 20590

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