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Charles M. Sotelo, Broker/Owner

DFD# 0102117002

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TRANSPORTATION

January 6, 2003

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423

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SURFACE
TRANSPORTATION BOARD



Dear Secretary Williams:

May this writing serve as our formal request for "Reconsideration" of Surface Transportation Board decision (STB Finance Docket No. 34191) dated October 24, 2002 to deny petition for declaratory order.

*** This decision to deny WILL significantly affect the quality of the human environment and the conservation of energy resources at our border region, both sides of the border (Mexico and United States).**

* The present owner stated "...SWKR is not interested in participating in such a project at this time..." SWRK, at one time, had agreed to sell this line to Charles M. Sotelo (who was San Pedro & Southwestern Railway Company's International Marketing Representative) and his investors. Charles M. Sotelo ("Sotelo") and investors are still available to discuss acquisition of this line and to save it from salvage. The fact that "Sotelo" is not the owner of this line is only waiting for RailAmerica to return "Sotelo's" numerous phone calls and e-mail communications to three Senior Vice Presidents asking for prospectus so "Sotelo" may join the bidding process to save this line and cancel the abandonment forever.

* "Sotelo" can show at least one rail carrier possibly two interested in this project and may wish to offer support to "Sotelo" and his investors so this line may be saved for future service to the community, state, and border region.

* "Sotelo" has a valid claim that the proposed line re-location will not 'invade' territory as this line has been abandoned and put up for salvage by the owners. "Sotelo" is asking for the opportunity to save this line for use by businesses and citizens of both Mexico and United States. This line is a necessity to our border region not just an inconvenient asset to a major corporation.

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To sell as salvage the 40-mile line in question (as advertised by RailAmerica in the Bisbee Daily Review dated January 5, 2003) will have devastating consequences to our border region and the opportunity for economic development into Northern Sonora and Southern Arizona and will be a modern day travesty of major proportions that should be avoided at any and all costs. This rail line is the economic lifeline for an area devastated with unemployment, illegal immigration, drug smugglers and human smugglers (over 150 deaths attributed to desperate people crossing illegally through our unforgiving desert last year alone). We need this opportunity for hope! Senators, Congressmen Legislators, County Board of Supervisors, Mayors from both sides of the border agree this line should be supported.

"Sotelo" request a cease and desist order be issued to RailAmerica on the salvage sale of this line without "Sotelo" being given the opportunity of bidding for the line simultaneously.

Thank you for your time and consideration on this very important matter.

Sincerely,



Charles M. Sotelo

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