



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

General Counsel

**400 Seventh St., S.W.
Washington, D.C. 20590**

April 16, 2004

Vernon A. Williams, Secretary
Surface Transportation Board
Suite 700
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Finance Docket No. 33388 (Sub-No. 91)

Dear Secretary Williams:

Pursuant to Decision No. 12 in the above-referenced proceeding, the United States Department of Transportation hereby gives Notice of its intention to participate in the public hearing to be held May 3, 2004. The undersigned will appear on behalf of the Department, and requests an allotment of five (5) minutes' time.

Thank you for your assistance in this matter.

Respectfully submitted,

Paul Samuel Smith
Senior Trial Attorney
(202) 366-9280