

September 13, 2004

BY HAND DELIVERY

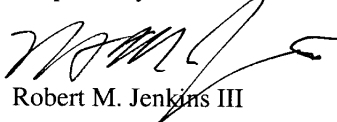
Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Re: STB Finance Docket No. 34376
City of Creede, CO – Petition for Declaratory
Order

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of
(1) "Petition of Association of American Railroads for Leave to Intervene as *Amicus Curiae*" and
(2) "Brief of the Association of American Railroads as *Amicus Curiae* in Support of
Respondent." Also enclosed is a diskette containing the Brief in Word format. Please date
stamp the extra copies of these documents and return them to our representative.

Respectfully submitted

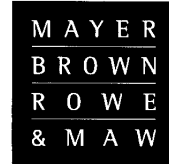

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Enclosures



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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB FINANCE DOCKET NO. 34376



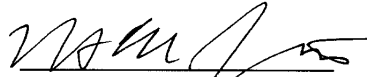
**CITY OF CREEDE, COLORADO—
PETITION FOR DECLARATORY ORDER**

PETITION OF THE ASSOCIATION OF AMERICAN RAILROADS
FOR LEAVE TO INTERVENE AS *AMICUS CURIAE*

Pursuant to 49 C.F.R. § 1112.4 and the Board's order served in this proceeding on August 19, 2004, the Association of American Railroads ("AAR") hereby moves the Board for leave to intervene in this proceeding for the purpose of filing the attached *amicus* brief in support of the position of the Denver & Rio Grande Western Historical Foundation ("D&RGHF"). The AAR's interest in the proceeding is set forth in the *amicus* brief. The Board's acceptance and consideration of this brief will not disrupt the schedule of filings or unduly broaden the issues in the proceeding, and both D&RGHF and the City of Creede have consented to the AAR's filing.

Accordingly, the AAR requests that the Board grant the AAR's petition for leave to intervene as *amicus curiae*.

Respectfully submitted,



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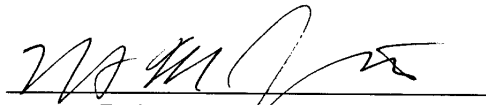
SEPTEMBER 13, 2004

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of September, 2004, a copy of the foregoing "Petition of the Association of American Railroads for Leave to Intervene as *Amicus Curiae*" was served by first-class mail on the following:

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