



KAISER VENTURES LLC

December 13, 2007

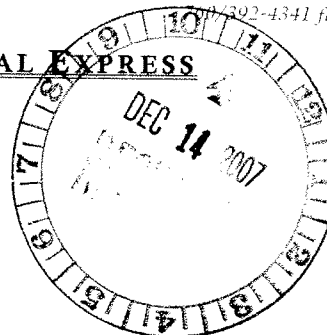
KAISER EAGLE MOUNTAIN, LLC  
One Court Street  
Post Office Box 37  
Desert Center, California 92239  
"607/392-425"  
"607/392-4341 fax"

22/088

**VIA ELECTRONIC FILING AND FEDERAL EXPRESS**

Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, DC 20423-001

ENTERED  
Office of Proceedings  
DEC 27 2007  
Part of  
Public Record



35091

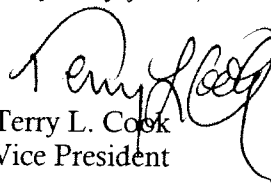
RE: FINANCE DOCKET NO. ~~39051~~, PACIFIC UNIFIED RAILROAD  
CORPORATION - NO TRANSACTION TO PURCHASE OR LEASE KAISER  
EAGLE MOUNTAIN RAILROAD

Dear Secretary Williams:

Enclosed is a copy of recent correspondence between Pacific Unified Railroad and Kaiser Eagle Mountain, LLC concerning the Kaiser Eagle Mountain railroad and the recent filings made by Pacific Unified Railroad Corporation. As you will read, Kaiser Eagle Mountain, LLC does not have any pending transaction with Pacific Unified Railroad Corporation. Pacific Unified Railroad Corporation has acknowledged that such is the case and was to have withdrawn its filings with the Surface Transportation with regard to the Eagle Mountain railroad. (See letter from Pacific Unified Railroad to the Surface Transportation Board dated December 3, 2007.) Since we have not received any evidence to date that the withdrawal letter provided to Kaiser Eagle Mountain, LLC was actually filed with the Surface Transportation Board, we are filing this letter and its enclosures to inform the Surface Transportation Board of the true status of the matter.

If you have any questions about this matter, please do not hesitate to contact me.

Very truly yours,

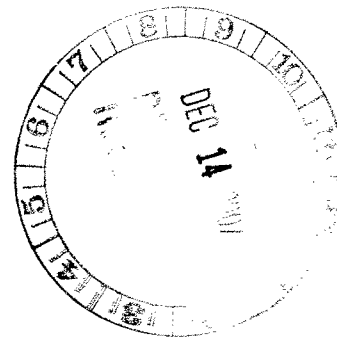
  
Terry L. Cook  
Vice President

Enclosures  
TLC:jpk  
terry07\surface trans brd

PACIFIC UNIFIED RAILROAD CORPORATION

December 3, 2007

Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, DC 20423-0001



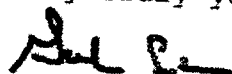
RE: <sup>35091</sup>~~35001~~, Pacific Unified Railroad Corporation  
- Exemption Withdrawal -

Dear Secretary Williams,

Pacific Unified Railroad hereby request to withdraw an earlier exemption filed on November 23, 2007 entitled Operation Exemption Docket # 35901. We have filed Pre-mature and would like to withdraw this exemption until we have completed our negotiations with KEM.

Please acknowledge receipt of this letter by date-stamping the enclosed acknowledgment copy and returning it in the enclosed express mail envelope.

Very truly yours,

  
Gerald Lee



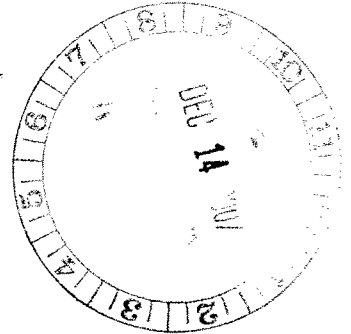
KAISER VENTURES LLC

November 29, 2007

Kaiser Eagle Mountain, LLC  
One Court Street  
Post Office Box 37  
Desert Center, California 92239  
760.392-4257  
760.392-4341 fax

**VIA FACSIMILE 615.469.1263 &**  
**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mr. Gerald Lee  
Pacific Unified Railroad Corporation  
3200 West End Avenue, Suite 500  
Nashville, Tennessee 37203-1330



**RE: EAGLE MOUNTAIN RAILROAD - DEMAND FOR WITHDRAWAL OF  
FILINGS WITH SURFACE TRANSPORTATION BOARD**

Dear Mr. Lee:

We recently became aware of filings made under your signature on behalf of Pacific Unified Railroad Corporation with the Surface Transportation Board regarding the Eagle Mountain railroad. Such filings were made without the expressed or implied agreement or consent of Kaiser Eagle Mountain, LLC, ("KEM") the owner of the Eagle Mountain railroad. In addition, the filings are mistaken with regard to a pending transaction with KEM and are misleading in the implication that KEM is an applicant. There is no transaction that would be consummated on or about December 14, 2007. Please immediately take the steps to withdraw the filings with the Surface Transportation Board.

Pacific Unified Railroad Corporation did approach an employee of KEM about the possibility of using the Eagle Mountain track and, as is KEM's custom when approached about exploring a possible business transaction, KEM entered into a Confidentiality and Non-disclosure Agreement with Pacific Unified Railroad Corporation. The filings with the Surface Transportation Board violate the confidentiality and non-disclosure agreement. There have not been any discussions with any officer of KEM regarding a business transaction. The Confidentiality and Non-Disclosure Agreement further expressly provides as follows:

The Parties acknowledge that they may be engaged in tentative discussions regarding a possible transaction. Accordingly, the Parties hereto understand and agree that that this Agreement does not and shall not be construed as creating a business relationship, joint venture or any other entity, or an agreement to pursue any particular business venture transaction and no such venture or transaction shall exist or be deemed to exist unless and until a definitive agreement has been fully executed and delivered.



MR. GERALD LEE  
PACIFIC UNIFIED RAILROAD CORPORATION  
PAGE 2

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Again, immediately take the steps to withdraw the filings made with the Surface Transportation Board. Unless we receive written confirmation within seven (7) days of the date of this letter, as evidenced by an appropriate filing with the Surface Transportation Board, we will have no choice but to directly contact the Surface Transportation Board and communicate this letter and other relevant information to them.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Terry L. Cook', written over a horizontal line.

Terry L. Cook  
Executive Vice President & General Counsel

cc: Aaron Echols-via fax (310.402.5584) and U.S. Mail

TLC:jpk

terry07\union pacific rr-surface transp brd filings



KAISER VENTURES LLC

December 14, 2007

KAISER EAGLE MOUNTAIN, LLC  
One Court Street  
Post Office Box 37  
Deer Creek, California 92230

760/392-4257  
760/392-4258 fax

VIA FEDERAL EXPRESS

Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
395 E Street, S W  
Washington, DC 20423-001

22/058



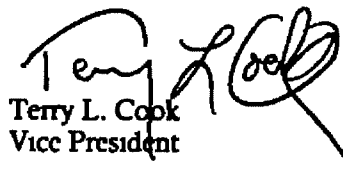
**RE: FINANCE DOCKET NO. 35091, PACIFIC UNIFIED RAILROAD  
CORPORATION - CORRECTION OF DOCKET NUMBER AND INCLUSION  
OF SERVICE LIST**

Dear Secretary Williams

We submitted a filing on December 13, 2007, to the Surface Transportation Board concerning recent correspondence between Pacific Unified Railroad and Kaiser Eagle Mountain, LLC about the Kaiser Eagle Mountain railroad. In our filing we failed to include the accompanying Certificate of Service, which is enclosed. In addition, we used an incorrect docket number. The correct docket number is the one noted above.

If you have any questions about this matter, please do not hesitate to contact me.

Very truly yours,

  
Terry L. Cook  
Vice President

Enclosures  
cc: See attached Certificate of Service  
TLC jpk  
terry07\surface trans brd

ENTERED  
Office of Proceedings  
DEC 18 2007  
Part of  
Public Record



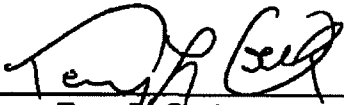
**CERTIFICATE OF SERVICE**

I certify that I have this day served a copy of the foregoing document upon the following

Gerald Lee  
Pacific Unified Railroad Corporation  
3200 West End Ave.  
Suite 500  
Nashville, TN 37203  
(Via First Class Mail)

Robert T. Opal  
General Commerce and FRA Counsel  
1400 Douglas Street  
STOP 1580  
Omaha, Nebraska 68179  
(Via First Class Mail)

Dated at Ontario, California this 14<sup>th</sup> day of December, 2007.

  
\_\_\_\_\_  
Terry L. Cook