

January 23, 2008

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

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Re: STB Docket No. AB-1014, Denver & Rio Grande Railway Historical
Foundation—Adverse Abandonment—In Mineral County, CO

Dear Secretary Williams:

This letter is in **support** of the application of the City of Creede for adverse abandonment of the railroad within the city limits of Creede. I would ask the Surface Transportation Board to please consider my comments before making their decision

I have been a resident of the City of Creede since 1970, when I came to Creede to teach. I am a home owner and a tax payer in the city and a very interested and concerned citizen. I remember the train coming into the city limits in 1970 and 1971. I know that the train has not come into the city limits since 1971. I remember the 14 years when mining was still active in Creede and the train picked up the ore at the tipple near Wason Ranch, outside the city limits

The City of Creede is a very small town physically and will always be that way because of the geography of the area. We exist within the confines of a small valley through which Willow Creek runs. It would be very difficult for us to grow a great amount to the east, north and south of the town because of the mountains that surround us. The small village is only three streets E-W and about 15 streets N-S. The railroad tracks and the right-of-way cut a swath right through the center of town and right into the heart of it and of the business district. Since mining ended in 1985, the town has become more and more dependent upon tourism and has many people visiting it from June through August, especially during the month of July. This is when a tourist train would probably be coming into town. A tourist train stopping at the edge of the city limits would be just as effective bringing people to town as would one stopping into the heart of the business district

Since the railroad abandoned US, although not officially, the city has eventually made use of much of the land that is public land within the right-of-way, usually after receiving permission from the railroad company. The city has built new roads; set up new areas for the badly needed parking in the summer; established an arena for the local and state mining competitions, which bring many people to town over the 4th of July; built a ball park for our citizens, especially the young people, set up a needed children's playground

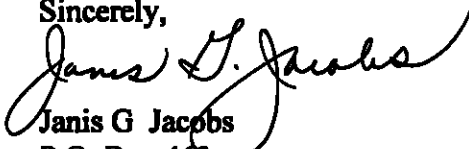
and done many more things to improve our town. The amount of land we have to use is very limited

Today, the use of the right-of-way in town, and especially the way the Denver & Rio Grande Railway Historical Foundation has approached the use of the right-of-way thus far, has proved, and I feel will continue to prove, to have a negative effect on our town. The Foundation has threatened to charge for parking on the right-of-way (which includes much of the parking in the business district) and charge large rents for businesses on the west side of main street whose buildings are on the right-of-way. Other negative effects on the city have been and could continue to be the tearing up of roads and facilities on the right-of-way and the ignoring of zoning restrictions.

It is my understanding that the Foundation was sold the right-of-way through town in order to provide freight to the city. We have had NO freight into or out of the City of Creede since 1971. I do not feel there is any reason to have a railroad within the city limits now or ever to bring freight of any kind into or out of town!! If by any chance, mining started up in Creede again, the ore could be picked up outside of town, like it was for about 14 years at the end of the last mining in the area. Any freight could also be brought in to a place near the southern city limits to be dropped off. I do not feel that we need a railroad within the city limits of Creede.

I want to thank you for reading my letter and for considering my opinions. I've enclosed ten copies of this letter and caused copies to be mailed to the parties to this proceeding. A certificate of service is attached to my comments.

Sincerely,


Janis G Jacobs
P.O. Box 463
Creede, CO 81130

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of my comments in STB Docket No AB-1014 to be served upon the following persons by first class mail this 23 Day of January, 2008

Clyde Dooley
City Manager
City of Creede
PO Box 457
Creede, CO 81130

Ronald M Johnson
Akin, Gump, Strauss, Hauer & Feld LLP
1333 New Hampshire Ave NW
Washington, DC 20036

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208 South LaSalle Street, Suite 1890
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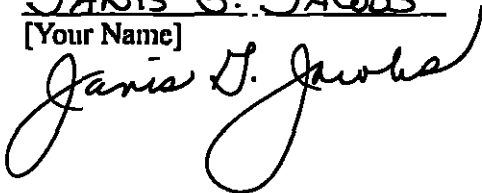
Donald H. Shank
Denver & Rio Grande Railway Historical Foundation
20 North Broadway
Monte Vista, CO 81144

Office of the Governor of Colorado
Bill Ritter, Governor
136 State Capitol
Denver, CO 80203-1792

Colorado Public Utilities Commission
Doug Dean, Director
1560 Broadway, Suite 250
Denver, CO 80202

JANIS G. JACOBS

[Your Name]

A handwritten signature in cursive script that reads "Janis G. Jacobs". The signature is written in dark ink and is positioned below the printed name "JANIS G. JACOBS".