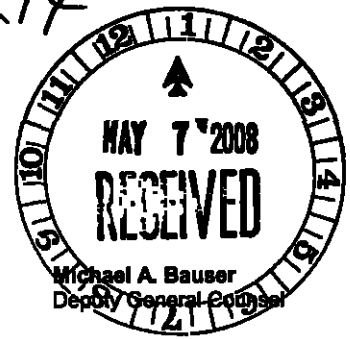




NUCLEAR ENERGY INSTITUTE



VIA FEDERAL EXPRESS

May 6, 2008

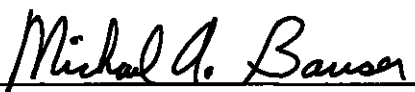
Anne K. Quinlan, Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: STB Finance Docket No. 35106

Dear Ms. Quinlan:

Enclosed please find an original and 10 copies of the "Nuclear Energy Institute Notice of Intent to Participate" for filing in the above referenced docket. Thank you for your assistance in this matter.

Sincerely,


Michael A. Bauser

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CC w/enclosures:

The Honorable Edward F. Sproat, Director, DOE Office of Civilian
Radioactive Waste Management
Mr. Gary Lanthrum, Director, DOE Office of Logistics Management
Mr. Bradley L. Levine, DOE Office of Assistant General Counsel for Civilian
Nuclear Programs

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 35106

UNITED STATES DEPARTMENT OF ENERGY
-- RAIL CONSTRUCTION AND OPERATION --
CALIENTE RAIL LINE IN LINCOLN, NYE, AND ESMERELDA COUNTIES, NV



NUCLEAR ENERGY INSTITUTE, INC.
NOTICE OF INTENT TO PARTICIPATE

Ellen C. Ginsberg
Michael A. Bauser
Nuclear Energy Institute
1776 I Street, N.W.
Washington, D.C. 20006
Tel: (202) 739-8000

COUNSEL FOR NUCLEAR
ENERGY INSTITUTE

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Dated: May 6, 2008

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

FINANCE DOCKET NO. 35106

**UNITED STATES DEPARTMENT OF ENERGY
-- RAIL CONSTRUCTION AND OPERATION --
CALIENTE RAIL LINE IN LINCOLN, NYE, AND ESMERELDA COUNTIES, NV**

**NUCLEAR ENERGY INSTITUTE, INC.
NOTICE OF INTENT TO PARTICIPATE**

The Nuclear Energy Institute, Inc. ("NEI") hereby provides its notice of intent to participate in this proceeding as a party of record. NEI has a clear interest in the instant matter. Among NEI's members are all companies operating commercial nuclear power plants. Used nuclear fuel produced at these plants will be transported along the subject rail line and disposed of at the Yucca Mountain repository if the site is licensed by the Nuclear Regulatory Commission. NEI requests that the following persons be included in the Board's official service list for this proceeding, and that they receive copies of all filings and submissions made in the proceeding as may be appropriate.

Ellen C. Ginsberg
Michael A. Bauser
Nuclear Energy Institute
1776 I Street, N.W.
Washington, D.C. 20006
Tel: (202) 739-8000
Fax: (202) 533-0231
Email:
ecg@nei.org
mab@nei.org

Respectfully submitted,

A handwritten signature in black ink, reading "Michael A. Bauser". The signature is written in a cursive style with a horizontal line underneath it.

Michael A. Bauser
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Washington, D.C. 20006
Tel: (202) 739-8000
Fax: (202) 533-0231

COUNSEL FOR NUCLEAR
ENERGY INSTITUTE, INC.

Dated: May 6, 2008