

222758



CITY OF CALIENTE

P O. Box 1006 • Caliente, Nevada 89008 • (775) 726-3131 • Fax (775) 726-3370

July 1, 2008

Secretary
Surface Transportation Board
395 E Street S W
Washington, D C 20423-001

Subject: Comments on the United States Department of Energy's Application to the Surface Transportation Board for a Certificate of Public Convenience and Necessity.

Reference Finance Docket No 35106

The City of Caliente, Nevada, understands that the U S Department of Energy (DOE) intends on constructing a railroad within Nevada for the primary purpose of transporting spent nuclear fuel and high-level radioactive waste. The DOE previously issued a Record of Decision designating the Caliente Rail Corridor as the preferred rail corridor within Nevada for construction and operation of this railroad. Subsequently, more detailed NEPA analysis has been conducted and the DOE has issued its final environmental impact statement that specifies an alignment within the Caliente Rail Corridor as the preferred alignment in which to construct this railroad. The City of Caliente will be the only city within Nevada which will be directly impacted by the construction and operation of this railroad.

The City of Caliente, Nevada, fully supports and endorses the DOE's application for a Certificate of Public Convenience and Necessity for shared use of this railroad. The City of Caliente fervently believes that the DOE intends to construct this railroad with or without the Certificate of Public Convenience and Necessity. Granting the Certificate of Public Convenience and Necessity will be an important first step in helping to mitigate the environmental and socioeconomic impacts to the City of Caliente.

Throughout the construction and operation of the railroad and the geologic repository any delays in shipments due to inevitable railroad construction, maintenance and operation issues will have a direct impact on the City of Caliente. Additionally, the DOE does not currently have the funding to construct the railroad. The DOE should therefore be required to construct one or more intermodal facilities and capabilities in the City of Caliente, Nevada, prior to constructing the railroad itself. This will allow for operational efficiency, reduce the chances of shipments of high-level radioactive waste sitting in the

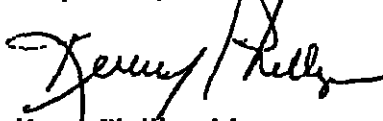
City of Caliente awaiting resolution of the inevitable rail issues that will occur, and maximize the economic benefit of the railroad to the public

The City of Caliente, Nevada, hereby requests that the STB place the following conditions on the Certificate of Public Convenience and Necessity

- 1 The DOE is required to construct one or more intermodal facilities within the City of Caliente
- 2 The DOE is required to consult with directly affected cities and counties to determine the appropriate placement of sidings to maximize the economic benefits of the railroad in order to help mitigate potential negative socioeconomic impacts to these communities.
- 3 The DOE is required to fund the construction of sidings as agreed upon during the consultation process, with the understanding that the DOE and all other parties involved in the consultation will be reasonable in determining the number, length and location of sidings

The City of Caliente appreciates the opportunity to have our views considered during this process. We believe the STB will receive adequate written information upon which to make a determination and do not feel an oral hearing is required. However, if the STB would like additional information from the City of Caliente regarding our perspectives, we would be pleased to either appear before the STB or provide additional written information to the STB as requested

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kevin Phillips", written over a horizontal line.

Kevin Phillips, Mayor
City of Caliente, NV