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STATE OF COLORADO

PUBLIC UTILITIES COMMISSION

Ron Binz, Chairman
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Via E-filing

July 23, 2008

Hon. Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

Re. STB Finance Docket No. 35106
*United States Department of Energy - Rail Construction and Operation - Caliente Rail
Line in Lincoln, Nye, and Esmeralda Counties, Nevada*
Certificate of Service

Dear Secretary Quinlan:

In accordance with the Surface Transportation Board's June 13, 2008 Decision, enclosed for filing in the above referenced matter is the Certificate of Service indicating that the Colorado Public Utilities Commission has served true and correct copies of all filings submitted so far in this proceeding on each party of record to the extent that such filings have not previously been served upon such other parties.

The Colorado Public Utilities Commission is late in its filing due to the absence of Ms. Fischhaber, its Party of Record, from the office from June 9, 2008 through July 21, 2008 due to vacation and field work. Given the only document that the Colorado Public Utilities Commission has filed to date is its Notice of Intent to Participate in this matter, no party should be prejudiced by the delay of this filing.

Sincerely,

A handwritten signature in cursive script that reads "Pamela M. Fischhaber".

Pamela M. Fischhaber, P.E.
Colorado Public Utilities Commission
Cc: Paul Gomez, Esq.

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Consumer Affairs (Outside Denver) 1-800-456-0838

Certificate of Service

I, Pamela M. Fischhaber, hereby certify that in accordance with the Surface Transportation Board's June 13, 2008 Decision, I caused to be served true and correct copies of all Colorado Public Utilities Commission filings submitted so far in this proceeding on each party of record to the extent that such filings have not previously been served upon the parties identified on the attached list by (a) first-class mail or (b) e-mail addressed as shown below this 23rd day of July 2008

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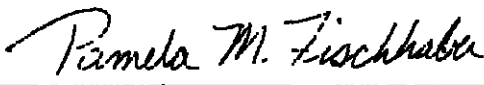
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