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THOMAS-F MCFARLAND

February 25, 2008

By e-filing

Anne K. Quinlan, Esq.
Acting Secretary
Surface Transportation Board
395 E Street, S.W., Suite 1149
Washington, DC 20024

Re *Docket No. AB-1014, Denver & Rio Grande Railway Historical Foundation --
Adverse Abandonment -- in Mineral County, CO*

Dear Ms. Quinlan:

Pursuant to 49 C.F.R. Part 1114, Subpart A, the Board is respectfully requested to take official notice of a recent action of Railinc, an affiliate of the Association of American Railroads (AAR), to wit issuance of railroad reporting mark DRGR and AAR Accounting Rule 260 code number 212 to Denver & Rio Grande Railroad Company, a Class III rail carrier, effective January 15, 2008. Copies of Railinc's e-mail message and formal letter to that effect, both dated February 22, 2008, are attached to this request for official notice.

Denver & Rio Grande Railroad Company is the operating affiliate of Denver & Rio Grande Railway Historical Foundation (the Foundation), which is the owner of the Creede Branch and the Respondent in the captioned proceeding wherein the City of Creede seeks adverse abandonment of one mile of the Creede Branch located within that City.

Issuance of an AAR railroad reporting mark and an AAR accounting code number to the Foundation's railroad operating affiliate constitutes additional evidence that the Foundation and its operating affiliate are legitimate rail carriers. Denver & Rio Grande Railroad Company intends to file a notice of exemption for its operation over the Creede Branch.

THOMAS F. MCFARLAND

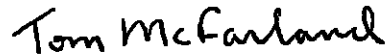
Anne K. Quinlan, Esq.

February 25, 2008

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It is appropriate for the Board to take official notice of this formal AAR action because such action was taken on February 22, 2008, which was after the deadline for the filing of the Foundation's evidence and argument in the above proceeding on January 31, 2008

Very truly yours,



Thomas F. McFarland

Attorney for Denver & Rio Grande

Railway Historical Foundation and

Denver & Rio Grande Railroad Company

TMcF kl wp8 0-1237efSTB6

cc Ronald Johnson, Esq)
John Heffner, Esq) *by e-mail*
John L. Richardson, Esq)
Mr. Donald H. Shank) .

"Moncef Sellami@ttx.com" <moncef_sellami@ttx.com>, "Norfolk Southern" <wbalexan@nscorp.com>, "Patricia Marquette" <Patricia.Marquette@railamerica.com>, "Patrick O'Brien" <pobrien@belrailway.com>, "Ralph Nocito" <ralph_nocito@csx.com>, "Robbins, Jill" <jrobbins@wlerwy.com>, "Russell Crosby" <cogswells@aol.com>, "Selser, Jim" <JMSelser@nscorp.com>, "Slifka, Pamela" <pslifka@railamerica.com>, trchardson@guilfordrail.com, "Zimmerle, Rachel" <rachelz@nopb.com>

HTML Attachment

Attached is the assignment letter for Denver & Rio Grande Railroad Company (DRGR-212) effective January 15, 2008

As information for those receiving copies of this letter, AAR Accounting Rule 260 code number 212 was previously assigned (coupled) with reporting mark DNE

Scott Phillips
Sr Product Manager
Railinc
7001 Weston Pkwy, Suite 200
Cary, NC 27513
919.651.5042 phone
919 651-5142 fax

Attachments

Files.

 DRGR_RRYASSIGN.doc (41k) [Preview]



**ASSOCIATION OF
AMERICAN RAILROADS**

Safety and Operations
Jeffrey J. Usher
Assistant Vice President-Business Services

February 22, 2008

Denver & Rio Grande Railroad Company
DRGR - 212

Mr Donald H Shank
President & CEO
Denver & Rio Grande Railroad Company
20 N Broadway St
Monte Vista, CO 81144-1166

Dear Mr. Shank

Reporting mark DRGR and AAR Accounting Rule 260 code number 212 are hereby assigned with the effective date of and SCAC inception date of January 15, 2008 to Denver & Rio Grande Railroad Company, a Class III rail carrier. Those codes should be shown, as applicable, in all tariffs in which the new railroad participates.

We have also received the following documents

- **AAR Interchange Agreement**
- **Car Service and Car Hire Agreement**
- **Section 10706 Agreement**
- **Copy of your Surface Transportation Board Docket Number AB-33 (Sub-No 132X)**
- **Operating address and telephone number of an officer of the new railroad who will be the contact for other railroads and for placing on our mailing list.**
You have requested to be added to our mailing list and will be the contact person for inquiries from railroads

Tel (719) 852-7000
Fax (719) 852-7000
Mobile (970) 749-7575
dhshank@yahoo.com

- **Approximate miles of track to be operated**
21 miles of track in Rio Grande and Mineral Counties, CO

- **Name of any interchange carrier(s) that the new railroad has entered into agreement with for the interline receipt, delivery of equipment and the point(s) of interchange:**

DRGR will interchange at South Fork, CO with SLRG (interchange point has not yet been established)

- **Date or approximate date that the new railroad will begin operating**
Scheduled to commence operations on January 15, 2008

As information for those receiving copies of this letter, AAR Accounting Rule 260 code number 212 was previously assigned (coupled) with reporting mark DNE

The assignment of these reporting marks is based in part on your Notice of Exemption filed with the Surface Transportation Board (STB) on behalf of the Denver & Rio Grande Railroad Company. If at any time your authority to operate is denied or revoked by the STB, the AAR will cancel the assignment of the marks.

Sincerely,

Copies to

Paul Levine-National Motor Freight Traffic Assn
M F Clemens, Jr -Surface Transportation Board
Irean Lewis-Federal Railroad Administration
Pete Coleman-Official Railway Equipment Register
K M Cassidy-American Short Line and Regional Railroad Association
K T Borman-American Short Line and Regional Railroad Association
D Mears-American Short Line and Regional Railroad Association
Robert M Perbohner-U S Railroad Retirement Board