



KAPLAN KIRSCH ROCKWELL

May 18, 2007

219335

VIA EFILE

Honorable Vernon A. Williams
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

Re: Docket No. AB 1229X, *Regional Transportation District - Abandonment Exemption - In Denver and Jefferson Counties, CO*

Dear Mr. Williams:

This is to respond to 3 questions posed to us by the staff of your agency with respect to the above-referenced Notice of Exemption:

1. *Please explain the difference between the references to 6.5 miles of line in the environmental documentation, and the 5.7 miles referred to in the Notice of Exemption.*

When we were preparing the documentation for the Environmental and Historic Report, we referred to the decisions issued by the Interstate Commerce Commission ("ICC") with respect to the abandonment of this line by the Associated Railroads. The earlier decisions, and the Railroads' submission, referred to the entire line beginning with MP 0.0 in the Denver rail yard complex. However, upon review of the Agreement for Purchase and Sale of Real Estate, dated December 22, 1988, we confirmed that the Regional Transportation District had only acquired 5.7 miles of line, between MP .60 and MP 6.3. As a result, the Notice of Exemption refers only to 5.7 miles of line.

2. *Please confirm whether there are any federally granted rights of way included in the line to be abandoned.*

To the best of RTD's knowledge, the proposed 5.7 mile line includes no federally granted right-of-way.

Attorneys at Law
Denver • New York • Washington, DC

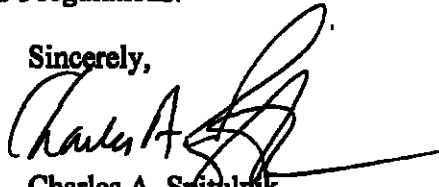
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3. *Please confirm that the consummation will not occur before June 26.*

RTD will consummate the abandonment on June 26, 2007, or as soon thereafter as may be accomplished consistent with this Board's regulations.

Sincerely,



Charles A. Spitulnik

cc: Marla Lien, Esq.

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