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Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

Re: STB Docket No. NOR 42160, *Denver Rock Island Railroad Company v. The City and County of Denver, Colorado*

Dear Ms. Brown:

In accordance with the Board's decision in the above Docket served on January 30, 2019, Complainant Denver Rock Island Railroad Company (DRIR) and Defendant the City and County of Denver, Colorado (CCD) have conferred in regard to procedural handling of the above proceeding.

As a result of that Conference, DRIR has agreed to withdraw its Complaint without prejudice, and CCD has agreed to support that action.

Accordingly, DRIR hereby respectfully seeks leave to voluntarily withdraw its Complaint without prejudice. CCD hereby supports a grant of that leave.

Respectfully submitted,

AGREED:

Thomas F. McFarland

Thomas F. McFarland
Attorney for Denver Rock
Island Railroad Company

Allison I. Fultz

Allison I. Fultz
Attorney for the City and County
of Denver, Colorado

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DECISION ID NO.: 46843	DECIDED DATE: 2-22-19	SERVICE DATE: 2/25/2019	APPROVED: <i>[Signature]</i> Director
			GRANTED ☐
Office of Proceedings			