

EO-925



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

May 20, 2008

Donald G. Avery, Esq.
Slover & Loftus
1224 17th Street, NW
Washington, DC 20036

Re: Finance Docket No. 35131, Vaughn Railroad Company – Construction and Operation – Mongolia County, West Virginia; Approval of Third-Party Consultant

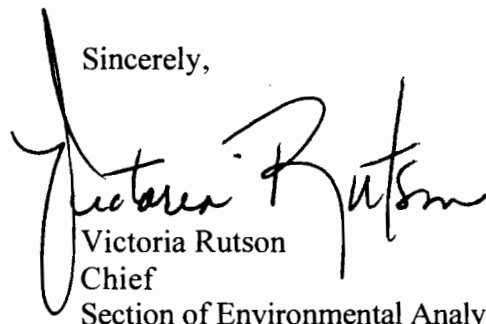
Dear Mr. Avery:

Your request for approval under 49 CFR 1105.10(d) and 40 CFR 1506.5 for retention of Dawkins Environmental Consultants (Dawkins) as an independent third-party consultant for the above referenced project is approved. Dawkins will prepare the appropriate environmental document on behalf of the Board in connection with a proposed project by Vaughn Railroad Company to construct and operate an approximately 5-mile rail line near Morgantown, West VA. The proposed rail line would serve to access substantial new coal reserves.

I have attached a disclosure statement that we ask you to forward to Dawkins to complete. Once the statement is signed by Dawkins, we request that Dawkins send it directly to us. As we discussed in our meeting on October 2, 2007, the Board's Section of Environmental Analysis will directly supervise, review and approve all environmental documents prepared by the independent third-party contractor.

If we can be of further assistance, please do not hesitate to contact me or Danielle Gosselin of my staff at (202) 245-0300.

Sincerely,



Victoria Rutson
Chief
Section of Environmental Analysis

Enclosure