

#E1-2767

January 12, 2007

Victoria Rutson  
Chief, Section of Environmental Analysis  
Surface Transportation Board  
Room 506  
1925 K Street, NW  
Washington, DC 20423

**Re: STB Finance Docket 33407 – Dakota, Minnesota & Eastern  
Railroad Powder River Basin Expansion Project**

Dear Ms. Rutson:

On behalf of the Dakota, Minnesota and Eastern Railroad Corporation (DM&E), I am writing to request your approval, in accordance with the executed Programmatic Agreement for the Powder River Expansion Project (Project), of a third-party contractor to prepare environmental documentation associated with the Project. The Project includes approximately 260 miles of new construction in Wyoming, South Dakota and Minnesota and the rehabilitation of approximately 600 miles of existing line in South Dakota and Minnesota.

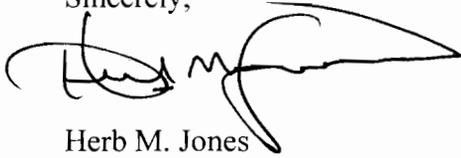
DM&E proposes to retain Louis Berger Group, Inc. (Berger) as the third-party contractor. We expect work will be performed by Berger's team led by Dr. John Hotopp, Senior Vice President. Dr. Hotopp and Berger are experienced in serving as cultural resources consultants on such projects and have been approved by the Board to serve as consultants. Berger's address and phone number are:

The Louis Berger Group, Inc.  
100 Halsted Street  
East Orange, NJ 07018  
Telephone: (973) 678-1960  
Fax: (973) 678-3427

The work by Berger would be conducted on behalf of the Board pursuant to the Programmatic Agreement, the Board's standard requirements for disclosure and the approved memorandum of understanding to be signed by the Board. DM&E and the

third-party contractor. Please contact me if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Herb M. Jones', with a long, sweeping horizontal stroke extending to the right.

Herb M. Jones  
Director, Government Affairs  
Cedar American Rail Holdings, Inc.  
DM&E / IC&E Railroads  
(605) 782-1223