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DZW

February 8, 2006

Ms. Diana F. Wood
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423

**RE: STB Finance Docket No. 34836, Arizona Eastern Railway,
Inc., Designation of Third Party Consultant**

Dear Ms. Wood:

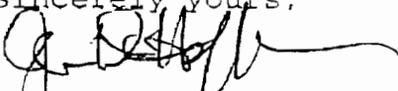
Pursuant to 49 CFR 1105.10(d), the Arizona Eastern Railway, Inc (hereafter "AZER"), seeks the authority of the Surface Transportation Board for the retention of a third-party consultant to develop the appropriate environmental documentation for the proposed construction and operation of 10 miles of new railroad line between a point near Stafford, AZ and San Juan, AZ to serve a new facility of Phelps Dodge Company at that location. A more detailed description of the proposed construction was submitted with my February 3, 2006 letter requesting waiver of the six month pre-filing notice. The environmental documentation will be submitted in connection with the Petition for Exemption AZER intends to file in Finance Docket No. 34836 seeking Board approval to construct this new rail line.

If the Board grants this request for Designation of a Third Party Consultant, AZER proposes to retain Circlepoint as the consultant to develop the necessary environmental documents on behalf of the Section of Environmental Analysis (SEA). The primary contact for the project will be Mr. Charles Gardiner, 135 Main Street, Suite 1600, San Francisco CA 94105, (415) 227-1100, email: c.gardiner@circlepoint.com. Circlepoint has been previously approved by the STB to prepare third-party

environmental documents in prior proceedings. Therefore, we believe that Circlepoint would be the appropriate third-party consultant and we request your approval to retain Circlepoint.

Let me know if you have any questions. Please date stamp and return one copy of this letter.

Sincerely yours,



John D. Heffner

cc: Mr. Edwin Ellis
Mr. Charles Gardiner

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