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November 30, 2006

Victoria Rutson, Chief
Section of Environmental Analysis
Office of Economics, Environmental Analysis and Administration
Surface Transportation Board
Washington, DC 20423

Re: City of Brookings

Dear Victoria:

I am the City Attorney for the City of Brookings, South Dakota.

A referendum election was held on November 7, 2006, concerning whether a Community Partnership Agreement ("CPA") between the City of Brookings and Dakota, Minnesota and Eastern Railroad with respect to the Powder River Basin expansion project should be approved or rejected.

The voters of the City of Brookings rejected the Community Partnership Agreement by a vote of approximately 56% opposed to the "CPA". Currently, the City of Brookings is actively discussing safety-related measures concerning the DM&E expansion project and is seeking public input. Hopefully, an acceptable Community Partnership Agreement will result.

Thank you very much.

Sincerely,



STEVEN J. BRITZMAN
City Attorney, City of Brookings