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September 19, 2008



Joe Kennedy
Chairperson

Anne K. Quinlan, Acting Secretary
Surface Transportation Board
395 E Street, S W
Washington DC 20423-0001

Margaret Armage
Vice-Chairman

Marc'no Esteves
Secretary/Treasurer

RE *Finance Docket No 35106*

Pauline Esteves
Council Member

Dear Acting Secretary Quinlan,

Margaret Cortez
Council Member

The Timbisha Shoshone hereby requests additional time for comment and response to the DOE Application for a Certificate of Public Convenience and Necessity for the Department of Energy – Rail Construction and Operation – Caliente Line in Lincoln, Nye and Esmerelda Counties, Nevada. The Timbisha Shoshone Tribe requests that public hearings take place and be held in the region of the Yucca Mountain site.

The Timbisha Shoshone is an affected Indian tribe under the Nuclear Waste Policy Act, as amended (the Act). Funding has not been provided by the Department of Energy to allow the Timbisha Shoshone to independently conduct oversight and monitoring of the Yucca Mountain project as required by the Act. The Timbisha Shoshone is not able to fully comment on impacts that uniquely affect the Timbisha Shoshone. The Timbisha Shoshone bears the full burden for its participation in activities contemplated as fundable under the Act. We view this as environmental racism and encourage the STB to allow our request to further expand on our concerns.

Sincerely,


Joe Kennedy, Chairman
Timbisha Shoshone Tribe

ENTERED
Office of Proceedings

SEP 26 2008

Part of
Public Record

Timbisha Shoshone Tribe

785 N Main Street, Suite Q • Bishop, CA 93514 • PH (760) 873-9003 • FAX (760) 873-9004
Post Office Box 206 • Death Valley, California • 92328-0206 • PH (760) 786-2374 • FAX (760) 786-2376

CERTIFICATE OF SERVICE

I, Joe Kennedy, hereby certify that I have caused to be served upon each Party of Record on the attached list a true and correct copy of the Timbisha Shoshone Tribe via first-class mail or other expedient means on this 19th day of September 2008



Joe Kennedy, Chairman
Timbisha Shoshone

PARTY OF RECORD

Paul H Lamboley
50 W Liberty Street
Bank of America Plaza, Suite 645
Reno, NV 89501

PARTY OF RECORD

Robert Alan Kemp
Aviation Technologies Ltd
4959 Talbot Lane, Unit #69
Reno, NV 89509

PARTY OF RECORD

Honorable Shelley Berkley
U S House of Representatives
405 Cannon House Office Building
Washington, DC 20515

PARTY OF RECORD

Louis E Gitomer
The Adams Building
600 Baltimore Avenue, Suite 301
Towson, MD 21204

PARTY OF RECORD

Jan Cole
Caliente Hot Springs Resort LLC
6772 Running Colors Avenue
Las Vegas, NV 89131

PARTY OF RECORD

Margene Bullcreek
Native Community Action Council
P O Box 140
Baker, NV 89311

PARTY OF RECORD

David Wright
Nuclear Waste Strategy Coalition
P O Box 5233
Pinehurst, NC 28374

PARTY OF RECORD

Bradley L Levine
Office of General Counsel (GC-52)
United States Department of Energy
1000 Independence Avenue, S W
Washington, DC 20585

PARTY OF RECORD

Fred Millar
915 S Buchanan Street, Apt 29
Arlington, VA 22204

PARTY OF RECORD

John E Hadder
Healing Ourselves & Mother Earth
P O Box 6595
Reno, NV 89513

PARTY OF RECORD

Barry S Neuman
Carter Ledyard & Milburn LLP
701 8th Street, N W , Suite 410
Washington, DC 20001

PARTY OF RECORD

G Paul Moates
Sidley Austin LLP
1501 K Street, N W
Washington, DC 20005

PARTY OF RECORD

Mayor Kevin Phillips
City of Caliente
P O Box 158
Caliente, NV 89008

PARTY OF RECORD

Kevin W Bell
California Energy Commission
1516 9th Street
Sacramento, CA 95814

PARTY OF RECORD

Gracian Uhalde
P O Box 151088
Ely, NV 89315

PARTY OF RECORD

Deborah Teske
Lander County
315 S Humboldt Street
Battle Mountain, NV 89820

PARTY OF RECORD

Linda Mathias
Mineral County Nuclear Projects Office
P O Box 1600
Hawthorne, NV 89415

PARTY OF RECORD

Connie Simkins
N-4 State Grazing Board
P O Box 461
Panaca, NV 89042

PARTY OF RECORD

Michael S Cyphers
City of Henderson
240 S Water Street, Msc #133
Henderson, NV 89015

PARTY OF RECORD

Rex Massey
Churchill County Comptroller
P O Box 19549
Reno, NV 89511

PARTY OF RECORD

Robert T Opal
Union Pacific Railroad Company
1400 Douglas Street, Stop 1580
Omaha, NE 68179

PARTY OF RECORD

R J Gillum
Esmeralda County, NV
Board of County Commissioners
P O Box 490
Goldfield, NV 89013

PARTY OF RECORD

Elizabeth A Vibert
Clark County District Attorney
500 South Grand Central Parkway
P O Box 552215
Las Vegas, NV 89155

PARTY OF RECORD

Mike Simon
White Pine County Nuclear Waste
Project Office
959 Campton Street
Ely, NV 89301

PARTY OF RECORD

Rochelle Becker
Alliance for Nuclear Responsibility
P O Box 1328
San Luis Obispo, CA 93406