



**GENERAL INSTRUCTIONS**  
**ALL REQUESTED INFORMATION IS AS OF DECEMBER 31, 2008**  
**THIS IS A CONFIDENTIAL DOCUMENT**

This report with all attachments must be postmarked on or before April 1, 2009. Failure to file by April 1, 2009, results in a PENALTY OF \$100 PER DAY, beginning April 2, 2009, unless an extension is granted. When an extension is granted, filing is due on or before April 23, 2009, and penalties start on April 24, 2009. The total penalty cannot exceed \$3,000.

**You must complete this report or an identical reproduction.** Complete reports must include all requested information for all pages. The only exceptions are: Page 2, the additional documents requested must be filed by April 23, 2009, and Page 6, for non-publicly traded companies. Incomplete pages will be returned for completion. Failure to complete and return these pages within seven days will result in the commencement of a \$100 per day penalty and a Best Information Available valuation. The total penalty cannot exceed \$3,000.

The following documents **MUST BE FILED IN ADDITION** to this report if applicable to the parent or reporting company:

- (a) Balance sheet, income statement, statement of retained earnings and statement of cash flows.
- (b) SEC Form 10-Ks, and 10-Qs if other than December 31, fiscal year end.
- (c) Annual Report to Share/Stockholders,
- (d) Annual Report(s) to the following agencies / commissions if required:  
Surface Transportation Board

State the exact nature of the business activity of the REPORTING COMPANY in the State of Colorado:

Describe any important changes which occurred during the previous calendar year such as major acquisitions, divestitures, write-offs and sales of major properties for both the REPORTING COMPANY and its ultimate Parent. Attach additional sheets as necessary:

Is the REPORTING COMPANY a proprietorship, partnership, S corporation, corporation, association, joint venture, other?

Is the REPORTING COMPANY a subsidiary of another corporation? Yes          No

What is the NAME of the ultimate PARENT company? \_\_\_\_\_

Tax Agents must have a current letter of agency on file with the Division for each company represented.

(Reporting Company Name)

<b>INCOME STATEMENT</b>							
<b>ACCOUNT TITLE</b>	<b>Parent Company</b>	<b>Reporting Company System</b>					
	2008	2008	2007	2006	2005	2004	
1 Railway operating revenues							
2 Railway operating expenses							
3 NET REVENUE FROM RAILWAY OPER.							
4 Income taxes on operating income							
5 Income from leased road and equipment	0	0	0	0	0	0	
6 Rent paid for leased road and equipment							
7 <b>Net Operating Income (line 3 - line 4)</b>	0	0	0	0	0	0	
8 Non-operating income							
9 Non-operating expenses							
10 Interest expenses							
11 Income before extraordinary items							

<b>LIST THE NET BOOK VALUE OF THE REPORTING COMPANY'S SYSTEM OPERATING PROPERTY FOR THE LAST 6 YEARS</b>							
<b>ACCOUNT TITLE</b>		31-Dec-08	31-Dec-07	31-Dec-06	31-Dec-05	31-Dec-04	31-Dec-03
Net Operating Property (Page 4, Line 10, Middle Column)							

**BALANCE SHEET - You MUST complete this page and attach a copy of your income statement and balance sheet**

<b><u>ASSETS</u></b>	Parent Company	Reporting Company System	Reporting Company Colorado
1 Road			
2 Construction work in progress (*)			
3 Equipment			
4 Unallocated Items			
5 Inventories, materials and supplies (1)			
6 Accumulated depreciation and amortization			
<b>7 Net Road and Equipment</b>	\$ -	\$ -	\$ -
8 Road and equipment leased from others			
9 Road and equipment leased to others			
<b>10 Total (line 7+8-9) (sch 352A + line 5)</b>	\$ -	\$ -	\$ -
11 Current Assets (less materials and supplies)			
12 Investments and other assets			
13 All other depreciation and amortization			
<b>14 Total Assets</b>	\$ -	\$ -	\$ -

**PROPERTY UNDER OPERATING LEASES**

15 Net book value of leased property	N/A		
16 Original cost of leased property	N/A		
17 Lease payment	N/A		
18 Average age of leased property	N/A		
19 Average remaining life of leased property	N/A		

**LIABILITIES AND EQUITY**

20 Common stock and paid-in capital			N/A
21 Preferred stock			N/A
22 Retained earnings			N/A
23 Long-term debt due after one year			N/A
24 Long-term debt due within one year			N/A
25 Current and accrued liabilities			N/A
26 Total other liabilities			N/A
<b>27 Total Liabilities and Equity</b>	\$ -	\$ -	N/A

(\*) Next year, construction work in progress will be requested to be split in to expansion and replacement.

(1) Includes inventories held for resale, and materials and supplies held for consumption.





**SCHEDULE OF COLORADO DEDUCTIONS FROM OPERATING PROPERTY**

**COLORADO  
NET BOOK  
VALUE**

1. Locally assessed property (note 1)	
2. Construction work in progress - personal property portion only (note 2)	
3. Licensed vehicles (note 3)	
4. Licensed special mobile machinery (SMM) (note 3)	
5. Inventories, materials and supplies (note 4)	
6. Other Property (note 5)	
	\$ -

**Notes**

1. Only deductible if included in Operating Property Accounts (page 4) and documented on page 11.
2. Attach details including a schedule with project description, county location, and accumulated cost as of 12-31-08.
3. Licensed vehicles and/or SMM machinery **MUST** be included as operating property on page 4 to be deductible.
4. Includes inventories held for resale, and materials and supplies held for consumption.
5. Attach details, including a schedule with property or project description, historical cost, net book value as of 12-31-08, location, and your reason why it should be deducted from your value. **Otherwise, NO deduction will be allowed.**

(Reporting Company Name) \_\_\_\_\_

**APPORTIONMENT TO COLORADO COUNTIES**

Colorado Main Track Mileage				Percent of Total	Colorado Main Track Mileage				of Total of Total
County	Owned	Operated	Total		County	Owned	Operated	Total	
Adams				0.0%	Kit Carson				0.0%
Alamosa				0.0%	La Plata				0.0%
Arapahoe				0.0%	Lake				0.0%
Archuleta				0.0%	Larimer				0.0%
Baca				0.0%	Las Animas				0.0%
Bent				0.0%	Lincoln				0.0%
Boulder				0.0%	Logan				0.0%
Broomfield				0.0%	Mesa				0.0%
Chaffee				0.0%	Mineral				0.0%
Cheyenne				0.0%	Moffat				0.0%
Clear Creek				0.0%	Montezuma				0.0%
Conejos				0.0%	Montrose				0.0%
Costilla				0.0%	Morgan				0.0%
Crowley				0.0%	Otero				0.0%
Custer				0.0%	Ouray				0.0%
Delta				0.0%	Park				0.0%
Denver				0.0%	Phillips				0.0%
Dolores				0.0%	Pitkin				0.0%
Douglas				0.0%	Prowers				0.0%
Eagle				0.0%	Pueblo				0.0%
El Paso				0.0%	Rio Blanco				0.0%
Elbert				0.0%	Rio Grande				0.0%
Fremont				0.0%	Routt				0.0%
Garfield				0.0%	Saguache				0.0%
Gilpin				0.0%	San Juan				0.0%
Grand				0.0%	San Miguel				0.0%
Gunnison				0.0%	Sedgwick				0.0%
Hinsdale				0.0%	Summit				0.0%
Huerfano				0.0%	Teller				0.0%
Jackson				0.0%	Washington				0.0%
Jefferson				0.0%	Weld				0.0%
Kiowa				0.0%	Yuma				0.0%
<b>TOTAL</b>						0.00	0.00	0.00	0.00%

**Allocation of railroad property to Colorado**

Total system track miles owned and operated \_\_\_\_\_  
 Total Colorado track miles owned and operated \_\_\_\_\_  
 Colorado track miles/System track miles \_\_\_\_\_

**COUNTY NAME -** \_\_\_\_\_ (Use a Separate Sheet for Each County)

**SCHEDULE OF STATE ASSESSED OWNED OPERATING PROPERTY - REAL ESTATE**

This chart is for owned real estate included on the balance sheet and is state assessed. Use page 10 for locally assessed property. List all Colorado operating property (real, not personal) held in fee.

FACILITY NAME, ADDRESS AND/OR LEGAL DESCRIPTION	DATE PURCHASED	PRICE	DEPRECIATED VALUE
TOTAL COUNTY			

**SCHEDULE OF STATE ASSESSED LEASED OPERATING PROPERTY - REAL ESTATE**

List all Colorado operating property (real, not personal) held in fee by another interest. Indicate if the lessor is a related party.

ADDRESS / LESSOR NAME	DESCRIPTION	NET BOOK VALUE*	ANNUAL PAYMENT	LEASE INCEPTION DATE	LEASE EXPIRATION DATE
TOTAL COUNTY					

Attach additional sheets as necessary.

\* Net book value required only if leased property is included on balance sheet.







## REPORTING OF NEW CONSTRUCTION COSTS

### Why Reporting New Construction Costs is Important

New construction plays an important role in both the 5.5 percent property tax limit and the TABOR local growth calculation. New construction also plays a key role in determining the target percentage used in the residential assessment rate calculation.

Section 20 of article X of the Colorado Constitution (**TABOR**) places several limits on the budgets of local and state governments. Two of these limits, the local government fiscal year spending limit and the property tax revenue limit, require the calculation of "local growth." For non-school taxing entities, "local growth" is the percentage change in the actual value of real property resulting from taxable new construction and other additions minus taxable destroyed property and other deletions. Most local taxing entities, other than school districts and home rule municipalities, are also subject to a statutory limitation found in § 29-1-301, C.R.S. This restriction, called the **5.5 percent property tax revenue limitation**, is similar in concept to the TABOR property tax limit, but it is calculated using a different set of data. Unlike TABOR, new construction for the 5.5% limit includes both newly constructed real property and associated personal property. Another difference is that the 5.5% limit calculation does not deduct for the removal or destruction any real property.

### Definitions of Real and Personal Property that Apply

The detail is in § 39-1-102, C.R.S.: (14) for real property; (7) for improvements; and (11) for personal property. In summary, all fencing and walled roofed structures, custom or prefabricated, constitute real property. Fixture systems, like HVAC, plumbing, and electrical are real property. Right-of-way wires, cables, and pipes, above and below ground, are personal property. Furniture, trade fixtures, and equipment, including telecommunication towers, are personal property.

### New Construction Costs to be Reported in the Annual Statement of Property

Report the installed net book value of qualified newly constructed real property and associated personal property, placed in service as operating property during the preceding calendar year up to and including December 31. New personal property is reported only when it is associated with qualified new construction real property.

Qualified new real property includes:

- New construction real property capitalized and reported as operating property or contributions in aid of construction (CIAC). These items are fencing and walled roofed structures affixed to the land regardless of permanence and access to utilities.
- Additions to real property if the addition costs are capitalized and reported as operating property or CIAC. An addition could be additional square feet to an existing building, or the expansion of an area enclosed by fencing.

New construction does not include:

- The acquisition of vacant land or land with existing improvements.
- The expansion, upgrade, or addition, of only personal property not associated with newly constructed real property.

### New Real Property in One County, and Associated Personal Property in Multiple Counties

Pipelines and electrical transmission systems often span several counties. The pipelines and electrical lines themselves are personal property, but the system might also include real property structures. When a newly constructed system spans several Colorado counties, and it includes a new structure(s) constructed in at least one of the counties, the associated new personal property is itself new construction and shall be apportioned to all counties wherein the personal property is located. The new real property is only reported in the county with situs. Outside of this condition, a new construction worksheet is not required if new personal property is known not to be associated with new real property.

If you have additional questions regarding how new construction is incorporated into TABOR or the 5.5 percent revenue limit calculation, please contact the Administrative Resources Section of the Division of Property Taxation at 303-866-2371.

