

Law Department

UNION PACIFIC RAILROAD COMPANY

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October 6, 2003



209110

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, D.C. 20423-0001

Re: Finance Docket No. 34406; Union Pacific Railroad Company -- Trackage Rights  
Exemption -- The Burlington Northern and Santa Fe Railway Company

Dear Mr. Williams:

This refers to the Notice of Exemption filed September 5, 2003 and served September 25, 2003 in the above proceeding. The Notice covered a grant of trackage rights over a BNSF line between Bragdon and Pueblo, CO, and was filed with a draft agreement, as permitted by Board rules.

UP has not consummated this transaction and UP and BNSF have decided not to proceed with this grant of trackage rights. Accordingly, UP respectfully requests that the Notice of Exemption be vacated.

An additional ten (10) copies of this letter are attached for the Board's files.

Very truly yours,

Robert T. Opal  
General Commerce Counsel  
Direct dial: 402/271-3072  
Fax: 402/271-5610

cc: Sarah Whitley Bailiff, Esq. - BNSF

ENTERED  
Office of Proceedings

OCT 14 2003

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