

ORIGINAL

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AREA CODE 202
223-9738

July 8, 2004



Vernon A. Williams
Secretary
Surface Transp. Board
Washington DC 20423

Re: F.D. No. 34509, Kaw River Railroad, Inc.-Acquisition and
Operation Exemption-The Kansas City Southern Railway Company

Dear Mr. Williams:

This letter is to request that the Board modify the procedures ordinarily applicable for progressing petitions to revoke exemptions where, as here, discovery is involved. 49 CFR 1121.2. Specifically, the time for petitioner's supplemental petition should be extended to and including August 2, and that for replies be extended to and including August 23, 2004.

This request is on behalf of petitioner Brotherhood of Locomotive Engineers, etc. (BLET), which filed its initial petition to revoke on June 4; another petitioner, United Transportation Union (UTU), filed its initial petition on June 14. I am authorized to state that UTU concurs in the August 2 and August 23 dates. Common dates for BLET and UTU will promote more orderly procedures.

I am authorized to state that counsel for Kaw River Railroad, Inc., and counsel for The Kansas City Southern Railway Company, concur in the dates outlined above.

BLET has pending a petition to compel discovery, filed June 26; Modification of the procedures of 49 CFR 1121.2 in this proceeding, will render unnecessary any ruling on the petition to compel, and the same is deemed withdrawn.

Very truly yours,

Atty. for Brotherhood of Locomotive
Engineers & Trainmen, a Division of
the Rail Conference, International
Brotherhood of Teamsters.

cc: Daniel R. Elliott, III-UTU
Harold A. Ross-BLET
Karl Morell-KRR
William A. Mullins-KCS

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