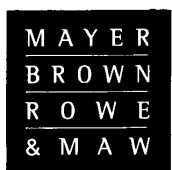


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December 10, 2004

BY HAND DELIVERY

Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

ENTERED
Office of Proceedings

DEC 13 2004

Part of
Public Record

Re: STB Docket No. NOR-42089
Albany & Eastern Railroad Company v.
The Burlington Northern and Santa Fe Railway
Company

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of BNSF's "Unopposed Motion for Extension of Time to File Answer." Please date stamp the enclosed extra copy and return it to our representative.

Sincerely yours,

Robert M. Jenkins III

RMJ/bs

Enclosure

212745

BEFORE THE
SURFACE TRANSPORTATION BOARD



ALBANY & EASTERN RAILROAD
COMPANY,

Complainant

v.

THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY,

Defendant

Docket No. NOR-42089

ENTERED
Office of Proceedings

DEC 13 2004

Part of
Public Record

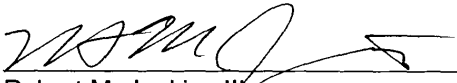
UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE ANSWER

On November 11, 2004, the Albany & Eastern Railroad Company ("AERC") filed a Complaint in the above-captioned proceeding seeking to commence arbitration of a dispute with The Burlington Northern and Santa Fe Railway Company ("BNSF") pursuant to 49 C.F.R. Part 1108. Under the STB's rules, if BNSF is willing to enter into arbitration, it is required to file an answer by December 13, 2004. 49 C.F.R. § 1108.7(c). BNSF has not yet determined whether it is willing to enter into arbitration, and desires more time to investigate the matter. Accordingly, BNSF requests a 30-day extension of time, to January 12, 2005, to file an answer to AERC's Complaint.

Counsel for AERC has authorized counsel for BNSF to represent that AERC does not oppose BNSF's request.

Respectfully submitted,

Richard E. Weicher
Sidney L. Strickland, Jr.
THE BURLINGTON NORTHERN AND
SANTA FE RAILWAY COMPANY
2500 Lou Menk Drive
Ft. Worth, Texas 76131
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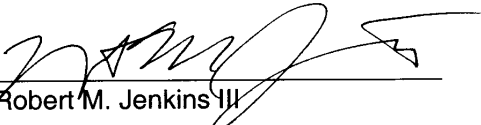
Attorneys for The Burlington Northern and Santa Fe Railway Company

Dated: December 10, 2004

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Unopposed Motion for Extension of Time to File Answer" was served by overnight courier this 10th day of December 2004 on the following:

Thomas F. McFarland
Office of Thomas F. McFarland, P.C.
208 South LaSalle Street – Suite 1890
Chicago, IL 60604-1112


Robert M. Jenkins III