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February 25, 2005

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

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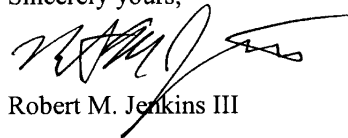
Re: Docket No. 42060 (Sub-No. 1) -- North American
Freight Car Association v. The Burlington
Northern and Santa Fe Railway Company

Dear Secretary Williams:

The Board's decision served January 6, 2005, states that the parties should notify the Board in writing by February 25, 2005, if they are "at an impasse with regard to any discovery disputes." The purpose of this letter is to advise you that BNSF Railway Company ("BNSF") and The American Chemistry Counsel ("ACC") have been in contact regarding the discovery disputes between them, have not resolved those disputes, but are hopeful that they will do so. Accordingly, we ask that the deadline for notifying the Board of an impasse be extended to Friday, March 4, 2005. We do not believe that this extension will affect the March 22 deadline for discovery responses.

Counsel for ACC has authorized the undersigned counsel for BNSF to state that ACC concurs in this letter.

Sincerely yours,



Robert M. Jenkins III

RMJ/bs

cc: Thomas E. Schick

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