



South Dakota Legislative Board
UNITED TRANSPORTATION UNION

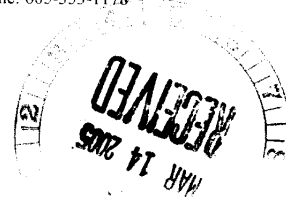


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3-8-05

Honorable Vernon Williams, Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

213543



Re. Finance Docket #34667
Application for Acquisition & Operation Authority

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Dear Secretary Williams,

2005

I am the Director of the South Dakota Legislative Board of the United Transportation Union. UTU represents Conductors, Brakemen, Switchmen, and Engineers on both the BNSF and the DM&E in South Dakota.

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I conditionally support the BNSF proposed purchase of the South Dakota "Core Line" Railroad Network from the State of South Dakota.

South Dakota is bound by contract to allow BNSF to purchase of the "Core" with the approval of STB. South Dakota is prolonging the sale but will eventually be forced to cooperate. The case is scheduled for a September trial should agreement not be reached first.

This sale, with certain conditions, would benefit BNSF, DM&E, shippers, producers, UTU members, and the State of South Dakota. BNSF and DM&E gain by having a large rail network in an area that produces huge amounts of agricultural products along with other related business. Shippers and producers gain by having two quality railroads for their shipping needs. UTU members gain by having more jobs that will become available with private ownership and the State gets a large amount of property back on the tax rolls. Local Governments could also see a marked increase in revenues.

In order for everyone to profit requires that DM&E be allowed trackage rights from Wolsey thru Mitchell and on to Sioux City and from Mitchell to Sioux Falls via Canton. Only then, with the benefit of true competition, will we see all of the gains listed in the above paragraph. DM&E already has rights from Aberdeen to Wolsey.

I feel certain that BNSF ownership will cause even more infrastructure improvements along with better maintenance. Shippers should feel an added amount of security knowing that a private entity (BNSF) owns and operates the lines rather than a government that may have different attitudes as different administrations come into

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power. Having two railroads competing for business would be an added incentive for a shipper to create new facilities.

I therefore urge your prompt approval of this sale to BNSF and that you grant to above mentioned trackage rights to the DM&E. Thank you for taking the time to consider my comments and I remain,

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Davids", written in a cursive style.

Rick Davids