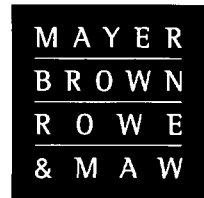
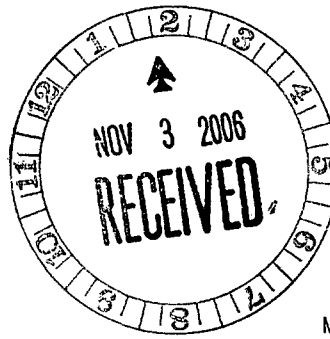


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November 3, 2006

BY HAND-DELIVERY

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

Mayer, Brown, Rowe & Maw LLP
1909 K Street, N.W.
Washington, D.C. 20006-1101

Main Tel (202) 263-3000
Main Fax (202) 263-3300
www.mayerbrownrowe.com

Robert M. Jenkins III
Direct Tel (202) 263-3261
Direct Fax (202) 263-5261
rmjenkins@mayerbrown.com

Re: Finance Docket No. 34947, Dr. Daniel R. Fiehrer, Applicant
v. BNSF Railway, Respondent

Dear Secretary Williams:

BNSF Railway Company ("BNSF") has received the Preliminary Application and Verified Petition filed by Dr. Fiehrer pursuant to 49 U.S.C. 10907 in the above-referenced proceeding. This is to inform the Board that BNSF intends to file a response to the Preliminary Application and Verified Petition on or before November 13, 2006.

I would appreciate it if you would date-stamp the enclosed extra copy and return it to the messenger for our files. Please let me know if you have any questions. Thank you for your assistance.

Sincerely yours,

Robert M. Jenkins III /bjs

Robert M. Jenkins III

cc: M.A. Fiehrer
Dr. Daniel R. Fiehrer

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