



July 13, 2007

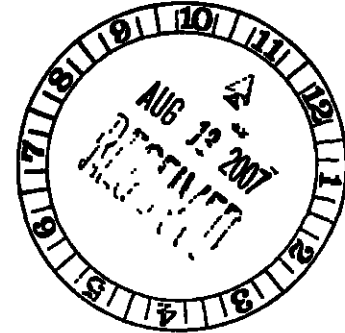
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Via Electronic Filing
Hon. Vernon A. Williams, Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

ENTERED
Office of Proceedings

AUG 13 2007

Part of
Public Record



Re: STB Ex Parte No. 673 - BNSF Railway Company, et al. - Petition to Institute a Rulemaking

Dear Secretary Williams:

Please accept for filing this letter of Bergen Passaic Rail Corporation D/B/A/ BP Rail ("BPR") in partial support of the above captioned matter. Also please accept this letter as an entry of appearance and include BPR as a party of record in these proceedings.

BPR is a start-up and relatively new player in the field therefore the requested rulemaking is of particular interest to us and we wish to support any measures that would eliminate abuses in the exemption process.

The suggestions made by the Association of American or Railroads ("AAR") of which BNSF Railway Company, Canadian National Railway Company, Canadian Pacific Railway Company, CSX Transportation, Inc., Norfolk Southern Railway Company, and Union Pacific Railroad Company (collectively, the "Coalition") bases their petition upon contains some very interesting suggestions, however the majority of the proposed required information seems specifically geared toward facilitating exemption for a Class I spin-offs rather than an altogether new Railroad and would effectively weed out the charlatans and the legitimate start-ups alike.

BPR strongly supports the reply of the American Short Line and Regional Railroad Association ("ASLRRA") dated June 28, 2007 (STB Filing 219620) and BPR asks that the Board weigh closely the ramifications of how basing its rulemaking decision solely on the Coalitions suggestion would adversely affect Class III or would be Class III railroads from the benefit of the exemption process.

We feel strongly that any rulemaking that emerges from the proceedings should not only be favorable to the Class I spin-offs, but equally accessible to the newcomers seeking exemption as well

In closing BPR supports and would be amiable to participating in an open discussion with all interested parties we further feel that frank dialogue would be the best approach in establishing a framework for future rule making on this issue.

BPR looks forward towards playing a constructive role in this and any future matters which would help in furthering a healthy rail system for the greater good.

Respectfully,



Vincent Caruso, Jr.
Authorized Representative
Bergen Passaic Rail Corp.
(973) 798-6233

VC/ab



I, Vincent Caruso, Jr, certify that copies of BPR's Letter to the Board of July 13, 2007

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Were served July 13, 2007, on the following Parties of record By First Class United States mail:

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Vincent Caruso, Jr
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Dated: July 16, 2007