

STEPTOE & JOHNSON LLP
ATTORNEYS AT LAW

222853

Samuel M Sipe Jr
202 429 6486
ssipe@steptoe.com

1330 Connecticut Avenue NW
Washington DC 20036-1795
Tel 202 429 3000
Fax 202 429 3902
steptoe.com

July 10, 2008

Via ELECTRONIC FILING

Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423-0001

**Re: STB Ex Parte No. 677 (Sub-No. 1) – Common Carrier Obligation
of Railroads – Transportation of Hazardous Materials**

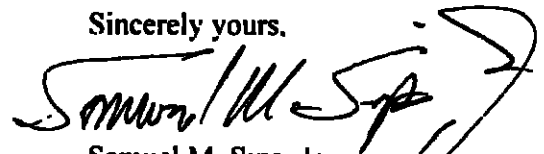
NOTICE OF INTENT TO PARTICIPATE

Dear Secretary Quinlan

Pursuant to the Notice served by the Board on June 4, 2008 in the above-referenced proceeding, as modified on June 19, 2008 and June 23, 2008, this is to inform the Board that BNSF Railway Company ("BNSF") intends to participate in the public hearing in the above-referenced matter, scheduled by the Board for July 22, 2008 in Washington, DC. BNSF will be represented by Dave T. Burr, Assistant Vice President, Fuel & Risk Management, and Richard E. Weicher, Vice President & General Counsel – Regulatory. BNSF requests that Messrs. Burr and Weicher be allotted a total of 15 minutes to address the Board. Messrs. Burr and Weicher plan to address the issues described in the attached outline.

Please address any questions concerning this Notice of Intent to Participate to the undersigned.

Sincerely yours,



Samuel M. Sipe, Jr.
Counsel for BNSF Railway Company

cc Richard L. Weicher, Esq.