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SEC

SERVICE DATE - APRIL 11, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34330

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY  
— ACQUISITION AND OPERATION EXEMPTION —  
MONTANA WESTERN RAILWAY COMPANY, INC.

Decided: April 10, 2003

By petition filed on March 25, 2003, The Burlington Northern and Santa Fe Railway Company (BNSF) seeks an exemption pursuant to 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323-25 to acquire the interest of the current operator and to operate a 52-mile line of railroad extending from Garrison to Butte, MT. The current operator is Montana Western Railway Company, Inc., a Class III carrier and lessee of the line, which is owned by the Oregon Short Line Railroad, a subsidiary of Union Pacific Railroad Company (UP). BNSF requested expedited handling of its petition. Replies are currently due on April 14, 2003.

By letter filed on April 9, 2003, UP requests an extension until May 5, 2003, to file its reply. UP states that the purpose of the extension is to facilitate negotiations between UP and BNSF concerning this transaction. UP asserts that it is authorized to state that BNSF has no objection to the extension request.

UP's request is reasonable and will therefore be granted.

It is ordered:

1. The deadline for UP to file its reply is extended to May 5, 2003.
2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary