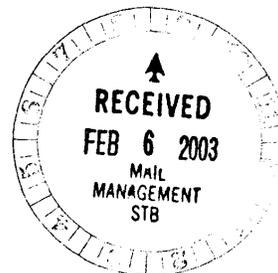


Freeborn & Peters

February 5, 2003

VIA U.S. MAIL
Vernon Williams
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

207 166



Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, Illinois
60606-6677
Tel 312.360.6000

Michael A. Smith
Senior Counsel
Direct 312.360.6724
Fax 312.360.6598
msmith@
freebornpeters.com

**Re: *Surface Transportation Board Docket No. AB-6 (Sub-No. 402X);
The Burlington Northern and Santa Fe Railway Company
Abandonment of Seattle, Washington***

Dear Mr. Williams:

In regards to the letter from Charles Montagne, an attorney representing the City of Seattle, dated December 23, 2002 and the letter from Joseph Langjahr of Foss Maritime dated January 2, 2003, The Burlington Northern and Santa Fe Railway fully supports the issuance of a notice of interim trail use pursuant to 16 U.S.C. § 1247(d).

Sincerely,

Michael A. Smith

Chicago

Springfield

cc: Joseph Langjar (for Foss Maritime)
Charles Montagne (for the City of Seattle)

ENTERED
Office of Proceedings

FEB 06 2003

Part of
Public Record



Freeborn & Peters

Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, IL 60606-6677
312.360.6000
Fax 312.360.6520

FAX COVER SHEET

PLEASE DELIVER TO

Vernon Williams
The Surface Transportation Board
(202) 565-9004

DATE

February 5, 2003

TIME

TOTAL PAGES WITH COVER

2

SENT FROM

Brian Nettles
direct dial: 312.360.6336
return fax: 312.360.6596

CLIENT/MATTER NO.

MESSAGE

Enclosed is BNSF's response to the letters from the City of Seattle and Foss Maritime regarding the issuance of a notice of interim trail use for the Seattle, WA abandonment, AB-6 (Sub-No. 402X).

OTHER OFFICES

217 East Monroe Street
Suite 101
Springfield, IL 62701-1147
217.535.1060
Fax 217.535.1069

ENTERED
Office of Proceedings

FEB 06 2003

Part of
Public Record

CONFIDENTIALITY NOTICE

The documents accompanying this fax transmission may contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance of the contents of this information is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone to arrange for the return of the transmitted documents to us. Thank you.

IF YOU DO NOT RECEIVE ALL THE PAGES TRANSMITTED, CALL FOR ASSISTANCE ASAP 312.360.6000