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215097

November 4, 2005

BY HAND DELIVERY

The Honorable Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W., Suite 700  
Washington, DC 20423-0001

ENTERED  
Office of Proceedings

NOV - 4 2005

Part of  
Public Record



Re: STB Docket No. AB-6 (Sub-No. 428X), BNSF Railway Company --  
Abandonment Exemption -- In Colfax County, NM

Dear Secretary Williams:

On October 11, 2005, BNSF Railway Company ("BNSF") filed with the Board a Status Report in this proceeding. Because of the progress the parties had made by October 11<sup>th</sup>, BNSF did not request that the proceeding be held in abeyance for any additional time. BNSF, however, reserved the right to come back to the Board seeking additional time if an unexpected issue arises.

Although the process is taking longer than BNSF had anticipated, the parties have made significant progress since the last Status Report in finalizing the agreements that will provide for the disposition of the rail corridor outside of the OFA process, subject to final abandonment approvals and conditions. BNSF is hopeful that the agreements will be finalized in the near future. BNSF will, of course, continue to keep the Board informed as to the status of the negotiations.

BALL JANIK LLP

The Honorable Vernon Williams  
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If you have any questions, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Karl Morell". The signature is written in a cursive style with a large, sweeping initial "K".

Karl Morell

cc: Fritz Kahn, Esq.  
John Heffner, Esq.  
Kevin M. Sheys, Esq.  
Martin W. Bercovici, Esq.