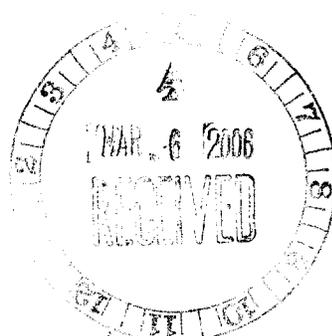


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March 6, 2006

215931

Honorable Vernon A. Williams  
Surface Transportation Board  
Case Control Unit, Suite 713  
1925 K Street, N.W.  
Washington, DC 20423-0001

**Re: STB Ex Parte No. 647—Class Exemption for Expedited  
Abandonment Procedure for Class II and III Railroads—Further  
Comments of BNSF Railway Company**

Dear Secretary Williams:

As previously stated in our February 2, 2006 letter, BNSF Railway Company (BNSF) notified the Board that it intended to participate in the above proceeding through the Association of American Railroads (AAR), but reserved the right to comment independently. Pursuant to the above letter, BNSF offers the comments noted below. At the outset, BNSF emphasizes its full support of the comments filed today by the AAR in these proceedings. Those comments include, among other things, the removal of unnecessary and burdensome regulations and the streamlining of the regulatory process that promotes the most efficient allocation of capital resources for railroad capacity, while continuing important rail service. The AAR comments also suggest that the Board continue to explore ways to streamline the environmental and historical review process as it pertains to all abandonments; adopt a 1-year instead of 2-year out-of-service exemption; provide for the automatic grant of an abandonment if no protest has been received within 30 days; and continue to adopt reasonable categorical exclusions from the historic preservation review process as well as procedures that ensure more expeditious processing of cases.

Again, BNSF fully supports the AAR comments. BNSF also would like the Board to consider adopting an additional class exemption for those instances in which a railroad certifies that it has contacted and received no objections to a proposed abandonment from each shipper that has shipped traffic from or to the line within the past two years. BNSF has encountered situations where the transportation communities as well as representatives at the local, county, state and federal levels urge a more expeditious abandonment of lines for which existing shippers do not oppose its abandonment. A class exemption that is less costly and more expeditious in permitting consummation of

such unopposed line abandonments would help both the public and private interests in converting rail right-of-ways to new uses that benefit the private and public communities without any danger of depriving existing shippers of desired freight service.

Very truly yours,



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All Parties of Record