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January 31, 2011

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VIA ELECTRONIC FILING

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 F. Street, SW
Washington, DC 20423-0001

228741

Re: STB Ex Parte No. 704 – Review of Commodity, Boxcar and TOFC/COFC Exemptions

NOTICE OF INTENT TO PARTICIPATE

Dear Ms. Brown:

Pursuant to Notices served by the Board on October 21, 2010, October 25, 2010 and November 19, 2010 in the above-referenced proceeding, this is to inform the Board that John P. Lanigan, Executive Vice President and Chief Marketing Officer for BNSF Railway Company intends to participate in the public hearing scheduled by the Board for February 24, 2011 in Washington D.C. Mr. Lanigan plans to address the issues set out in the attached outline. Mr. Lanigan requests that he be allotted 20 minutes to address the Board.

Sincerely,


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

Enclosure

cc: Richard E. Weicher, Esq.
Jill K. Mulligan, Esq.

STB EX PARTE 704
REVIEW OF COMMODITY, BOXCAR, AND TOFC/COFC EXEMPTIONS

OUTLINE OF TESTIMONY OF
JOHN LANIGAN, BNSF RAILWAY COMPANY

I. The Role Of Rail In The Intermodal Market

II. Creating A Competitive Marketplace

- The Current TOFC/COFC Exemption Has Fostered A Highly Competitive Intermodal Environment
- Shippers Have Numerous Competitive Options For Transporting Products In Intermodal Service, And Rail Is One Of Many Cost-Efficient Options Available
- The U.S. Intermodal Supply Chain Provides A Competitive Advantage For U.S. Industries And Is An Economic Engine

III. The Competitive Marketplace Has Benefited Railroads, Motor Carriers, Shippers and Retail Consumers Alike

- BNSF's Success In The Intermodal Marketplace Has Encouraged Investment In Our Network And Has Made It Possible To Pursue Other Initiatives To Improve Productivity
- BNSF Has Improved Products And Services To Meet Shipper Needs
- Robust Rail Participation In The Intermodal Marketplace Protects The Environment

IV. Removal Of The TOFC/COFC Exemption Would Jeopardize The Significant Advances Made Since The STB Issued The Original Exemption