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KARL MORELL



August 4, 2004

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The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Suite 715
Washington, DC 20423-0001

ENTERED
Office of Proceedings

AUG - 4 2004

Part of
Public Record

Re: Finance Docket No. 34533, Southwestern Railroad Company, Inc. - Lease
Exemption - The Burlington Northern And Santa Fe Railway Company

Dear Secretary Williams:

Southwestern Railroad Company, Inc. ("SWRR"), hereby certifies that on July 29, 2004, SWRR had posted the attached Notice at the workplace of the employees on the rail lines that are the subject of this transaction and on August 4, 2004, SWRR served a copy of the Notice on the national offices of all labor unions with employees on the affected lines.

Please time and date stamp the extra copy of this letter and return it with our messenger.

If you have any questions regarding this matter, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Karl Morell'.

Karl Morell

Enclosure

NOTICE

Southwestern Railroad Company, Inc. ("SWRR"), a Utah Corporation, will be leasing from The Burlington Northern And Santa Fe Railway Company ("BNSF") the rail lines located: (1) on the Carlsbad Subdivision between Milepost 0.5, at Clovis, New Mexico, and Milepost 183.0, at Carlsbad, New Mexico; (2) in the Carlsbad yard; (3) on the Carlsbad Industrial Spur between Milepost 0.0, at Carlsbad, New Mexico, and Milepost 20.0, near Carlsbad, New Mexico; and (4) on the Loving Industrial Spur between Milepost 0.0, at Carlsbad, New Mexico, and Milepost 20.0, near Carlsbad, New Mexico.

As a result of the lease of the BNSF lines, SWRR expects to have the following employment opportunities:

There will be a total of approximately **22 positions**.

Transportation:

Approximately **6 positions** requiring the following minimum skills and/or qualifications:

Must have minimum one-year experience as a trainman or equivalent training from an accredited railway training course. Must possess a valid driver's license with a clean record. Must be able to pass color vision screening, have qualifications on the General Code of Operating Rules (GCOR), and have passed a written test in the past 18 months. Must be able to demonstrate, by written test, an understanding of railroad safety, operating rules, air brake and hazardous materials handling rules. Individual must also be able to effectively use a radio as per GCOR regulations and ensure all applicable track warrant and bulletin information is in place as per GCOR rules and regulations.

Approximately **6 positions** requiring the following minimum skills and/or qualifications:

Must have at least one year experience as a locomotive engineer. Must possess a valid engineer's certificate issued by a program in compliance with 49 CFR Part 240. Must be able to meet all hearing and vision requirements of 49 CFR Part 240. Must have an understanding of air brake and mechanical systems of a train and locomotives, and pass a written test to verify competency.

Approximately **10 positions** requiring the following minimum skills and/or qualifications:

Requiring various skills and experience including mechanical, signal and track maintenance, clerical, and administrative.

The most qualified candidates will be selected from the available pool of applicants without regard to race, creed, color, religion, national origin, sex, age, marital status,

disability, or veteran status. The selection criteria will be job-related skills and attributes as outlined. Successful candidates must have a stable work record and exhibit safe work practices. The ability to work in a team environment with a focus on customer service is critical. Applicants must be able to read and comprehend regulations and instructions in English, as well as possess good oral communication skills. Successful applicants will be required to pass a pre-employment drug and alcohol screen and complete a medical questionnaire. Every employee is an at-will employee. All employees are expected to know and abide by the standard code of employee conduct.

Southwestern Railroad Company, Inc.
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