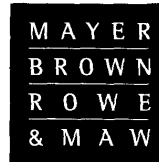


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February 25, 2005

Mayer, Brown, Rowe & Maw LLP
1909 K Street, N.W.
Washington, D.C. 20006-1101

Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Office of the Secretary

FEB 25 2005

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Re: Docket No. 42060 (Sub-No. 1) -- North American
Freight Car Association v. The Burlington
Northern and Santa Fe Railway Company

Dear Secretary Williams:

The Board's decision served January 6, 2005, states that the parties should notify the Board in writing by February 25, 2005, if they are "at an impasse with regard to any discovery disputes." The purpose of this letter is to advise you that BNSF Railway Company ("BNSF") and the National Industrial Transportation League ("NITL") have been in contact regarding the discovery disputes between them, have not resolved those disputes, but are hopeful that they will do so. Accordingly, we ask that the deadline for notifying the Board of an impasse be extended to Friday, March 4, 2005. We do not believe that this extension will affect the March 22 deadline for discovery responses.

Counsel for NITL has authorized the undersigned counsel for BNSF to state that NITL concurs in this letter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "RMJ", followed by a stylized flourish.

Robert M. Jenkins III

RMJ/bs

cc: Nicholas J. DiMichael
Michael Higgins