



Peter J. Rickershauser
Vice President
Network Development

**Burlington Northern
Santa Fe Corporation**
2500 Lou Menk Drive
Fort Worth, Texas 76131-2828

tel 817-352-6686
fax 817-352-7154
pete.rickershauser@bnsf.com

August 21, 2009

Mr. John Maddox
Rail and Freight Manager
Kansas Department of Transportation
Eisenhower State Office Building, 2 East
700 SW Harrison
Topeka, KS 66603

Dear Mr. Maddox:

We understand that the Kansas Department of Transportation is preparing a Track 3 \$500,000 grant application to the Federal Railroad Administration under the High-Speed/Intercity Passenger Rail (HSIPR) program for aid in financing a planning study related to the possible operation of state-supported Amtrak passenger rail service between Kansas City, Oklahoma City, and Fort Worth.

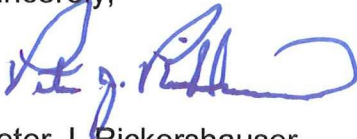
BNSF Railway endorses your application to study the impacts, costs, and benefits of the proposed passenger rail service. In alignment with BNSF's Passenger Principles, we see the study as a vehicle to identify and examine:

- How the proposed service can be designed to avoid degrading the quality of BNSF's freight service, and negatively affecting BNSF's freight customers or BNSF's ability to provide them with service.
- Costs and to what extent BNSF will be compensated for project related costs incurred in prior to initiation of service or on an ongoing basis in providing the proposed service.
- The nature and extent of capital investments necessary for to support the proposed service, whether such investments are designed to assure the safe, reliable, and comfortable performance of the proposed service or to insure that freight service is not degraded once service starts.
- How BNSF will be assured that it will not incur any liability related to the proposed operations.
- How BNSF can be assured that investments made in support of the proposed service do not result in BNSF incurring a higher tax burden.

- Ensuring BNSF will retain operating control of rail facilities used in support of the proposed service, including all dispatching, maintenance and construction work. Passenger stations, parking lots and other non-rail facilities may be publicly owned and operated.
- Whether the proposed service will require improvements in grade crossing protection and intertrack fencing, as may be required to minimize the risk of accidents.

We look forward to helping KDOT in whatever way we can to quickly and thoroughly complete its planned study. If you have any questions, please feel free to call me.

Sincerely,



Peter J. Rickershauser
Vice President, Network Development