

**BNSF**



Gene L. Shire  
*General Director – Labor Relations*

**Burlington Northern Santa Fe**

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Mr. R.D. Kerley  
General Chairman UTU  
3856 West Chestnut Expressway  
Springfield, MO. 65802

January 9, 2004

Dear Mr. Kerley,

Several weeks ago we discussed the upcoming reversion to short pool service between Kansas City and Springfield.

This letter will serve to confirm that it is not BNSF's intent to take a position that the current agreement providing for interdivisional service between Kansas City and Springfield is being cancelled or otherwise abrogated. Factually, I do not think that BNSF can unilaterally cancel an agreement that does not have a specific cancellation clause. What BNSF is doing is reverting to short pool service under different collective bargaining agreement provisions and simply not utilizing the right to run crews through Fort Scott.

I think that it bears mentioning that BNSF may return to ID Service between Kansas City and Springfield on some future date depending on traffic flows and capital improvements. It will be my position that we have the right to reinstate this ID Service under the terms of the existing agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene L. Shire".

**RECEIVED**

JAN 12 2004

OFFICE OF THE  
GENERAL CHAIRMAN  
UTU