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**TRANSPORTACION  
FERROVIARIA  
MEXICANA**

FEDERAL RAILROAD  
ADMINISTRATION

2004 AUG -9 PM 11: 22

OFFICE OF CHIEF COUNSEL

July 23, 2004

Docket Clerk  
Federal Railroad Administration  
1120 Vermont Avenue NW  
Washington, DC 20590

*FRA-2004-18746-3*

Gentlemen,

This letter will serve to advise you that Transportacion Ferroviaria Mexicana (TFM) strongly supports the Union Pacific Railroad's (UPRR) request for a waiver of 49CFR 232.205 – Class I brake test-initial terminal inspection, 232.409 – Inspection and testing of end-of-train devices, 215.13 Pre-departure Inspection, and 229.21, Locomotive Daily Inspection. A waiver would recognize the inspections and tests performed by TFM at our Nuevo Laredo / Sanchez yard facilities and would allow certain run-through trains (as covered in the UPRR's request for waiver) to be interchanged at the Laredo, Texas Gateway.

All TFM run-through trains interchanged at the Gateway are inspected and air tested according to the applicable FRA rules and regulations. TFM has provided all pertinent information about the inspections and tests to the UPRR to include in their waiver. TFM personnel have been fully trained and their training records are available for your review. TFM is eager to engage in such interchange process to increase efficiency and fluidity at the border and firmly believes it will result in a much safer operation, with the significant reduction of blocked public grade crossing.

TFM is acceptable to any and all visits and audits by your agency as contained within the UPRR's waiver request and agrees to abide by the rules and regulations in the CFR. TFM believes that granting this waiver will have a dramatic, positive impact on the environment, safety, and productivity for all of the railroads and cities involved.

Thank you for your consideration of the UPRR's wavier request. Please feel free to contact me at: 1-888 -812-9512 (EXT. 7887) or Frank P. Hernandez (EXT. 7852), if you should have any questions regarding the contents of this letter.

Sincerely,

Manuel Zulaica – COO TFM

MZ/fph

- cc: Betty Monro – FRA
- Grady Cothen – FRA
- Bonnie Murphy – FRA
- Ed Prichard – FRA
- Dennis Duffy – UPRR
- Gary Davidson – UPRR
- Steve Beckwith – UPRR
- Frank P. Hernandez – TFM VP Operations Support
- Ernesto Fernandez – TFM CMO
- FILE/OP FRONTERIZA – FRA WAIVER SUBMISSION**

OFFICE OF TRANSPORTATION  
 DIVISION OF TRAINING  
 AUG 19 AM 10:56

**TFM, S.A. de C.V.**

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