

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, DC 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): February 18, 2009

Burlington Northern Santa Fe Corporation
(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction of incorporation)

1-11535
(Commission File Number)

41-1804964
(I.R.S. Employer
Identification No.)

2650 Lou Menk Drive
Fort Worth, Texas 76131
(Address of principal executive offices) (Zip Code)

(800) 795-2673
(Registrant's telephone number, including area code)

(Not Applicable)
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

INFORMATION TO BE INCLUDED IN THE REPORT

Item 8.01 Other Events

Attached is the BNSF Railway Company press release dated February 18, 2009, with BNSF Railway Company's comments on the new decision by the U.S. Surface Transportation Board in the Western Fuels/Laramie River case.

Item 9.01 Financial Statements and Exhibits

(d) Exhibits

See Exhibits index included herewith.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

BURLINGTON NORTHERN SANTA FE CORPORATION

Date: February 19, 2009

By: /s/ James H. Gallegos
James H. Gallegos
Vice President and
General Corporate Counsel

BURLINGTON NORTHERN SANTA FE CORPORATION

INDEX OF EXHIBITS

**Exhibit
Number**

Description

99.1

BNSF Railway Company press release dated February 18, 2009.



NEWS

Contact: John Ambler
(817) 867-6407

FOR IMMEDIATE RELEASE

BNSF Comments on STB Decision In Western Fuels/Laramie River Case

FORT WORTH, Texas, February 18, 2009 -- This afternoon, the Surface Transportation Board (STB) issued a new decision in the longstanding litigation between BNSF Railway Company and Western Fuels/Laramie River. In 2004, Western Fuels challenged the reasonableness of the rate for an unusual short-haul coal movement out of the Powder River Basin. In the fall of 2007, the STB determined that the rates were reasonable.

The STB reversed its prior decision and has now ruled that those very same rates are unreasonable. It appears that the STB has awarded the shipper approximately \$100 million in reparations (for which BNSF has maintained a reserve of approximately half that amount), and then capped rates for the next 16 years, for a total reported present value of \$345 million.

BNSF strongly opposes the STB's decision on its merits and believes the process used to arrive at this result is unfair. Despite ruling in BNSF's favor once, the STB substantially revised its large rate case rules, and then allowed the shipper to submit a reconfigured new case. BNSF believes that this case is a manipulation of the new rules and represents an outcome-oriented decision in favor of this shipper. If this ruling stands, it would be the largest award for any shipper in the history of coal rate litigation. BNSF believes that the rates in question that it has charged the shipper are reasonable from both a market and regulatory perspective.

We are currently reviewing the decision and intend to pursue all legal remedies.

A subsidiary of Burlington Northern Santa Fe Corporation (NYSE:BNI), BNSF Railway Company operates one of the largest North American rail networks, with about 32,000 route miles in 28 states and two Canadian provinces. BNSF is among the world's top transporters of intermodal traffic, moves more grain than any other American railroad, carries the components of many of the products we depend on daily, and hauls enough low-sulfur coal to generate about ten percent of the electricity produced in the United States. BNSF is an industry leader in Web-enabling a variety of customer transactions at www.bnsf.com.

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