

28527

SERVICE DATE - NOVEMBER 7, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33497]

The Burlington Northern and Santa Fe Railway Company—Trackage Rights

Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company has agreed to grant overhead trackage rights to The Burlington Northern and Santa Fe Railway Company (BNSF) from Hobart, CA, near milepost 3.1, to Thenard, CA, near milepost 21.7, a distance of approximately 18.6 miles.

The transaction was scheduled to be consummated on November 1, 1997. Because the exemption was filed on October 27, 1997, the transaction could be consummated no sooner than November 3, 1997.

The purpose of the trackage rights is to improve the operating efficiencies of the BNSF.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in Norfolk and Western Ry. Co.--Trackage Rights--BN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry., Inc. - Lease and Operate, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

STB Finance Docket No. 33497

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33497 must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Michael E. Roper, Esq., The Burlington Northern and Santa Fe Railway Company, P. O. Box 961039, Fort Worth, TX 76161-0039.

Decided: October 31, 1997.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary

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