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SERVICE DATE - SEPTEMBER 17, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33454]

Union Pacific Railroad Company—Trackage Rights Exemption—Illinois & Midland Railroad, Inc.

Illinois & Midland Railroad, Inc. has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) from milepost 75.4, near Barr, IL, to milepost 85.1, near Springfield, IL, a distance of 9.7 miles in Menard and Sangamon Counties, IL.

The transaction is scheduled to be consummated on or after September 11, 1997.

The purpose of the trackage rights is to facilitate efficient train operations in a continuous route to and from Peoria, IL, after UP has abandoned its rail line between Barr and Girard, IL.¹

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).

¹ UP has filed an abandonment application in Union Pacific Railroad Company--Abandonment--Barr-Girard Line in Menard, Sangamon, and Macoupin Counties, IL, Docket No. AB-33 (Sub-No. 96) (STB served Aug. 12, 1996) which was related to, and contingent upon the merger approved in Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company--Control and Merger--Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad, Finance Docket No. 32760 (Decision No. 44) (STB served Aug. 12, 1996).

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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33454, 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 Joseph D. Anthofer, Esq., 1416 Dodge Street, #830, Omaha, NE 68179.

Decided: September 9, 1997.

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

Vernon A. Williams

Secretary