

SERVICE DATE - OCTOBER 7, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33414

PENN-JERSEY RAIL LINES, INC.
—ACQUISITION AND OPERATION EXEMPTION—
WMI PROPERTIES, INC.

Decided: October 6, 1997

Consolidated Rail Corporation (Conrail) filed on August 5, 1997, a petition to revoke the exemption that was the subject of a notice served and published on June 24, 1997 (62 FR 34110), which authorized Penn-Jersey Rail Lines, Inc. (PENN), a noncarrier, to acquire from WMI Properties, Inc., and to operate as a common carrier, railroad lines starting at the turnout from the track of Conrail, at milepost 6.1, and extending for a total of 2.2 miles, all within the Penn Warner Industrial Park, Falls Township, Bucks County, PA.¹ In a decision served August 22, 1997, the due date for the reply of PENN was extended to September 15, 1997, so as to permit the parties to negotiate a settlement. The parties subsequently notified the Board that they had reached an agreement in principle but needed additional time to formalize the agreement. Accordingly, the due date was further extended, in a decision served September 16, 1997, to October 6, 1997.

In an October 3, 1997 letter, PENN avers that the parties have taken longer than anticipated to arrive at a definitive agreement. PENN requests an additional 20-day extension, until October 27, 1997, of the reply due date. PENN's counsel indicates that Conrail's counsel joins in this request. The request is reasonable and will be granted.

It is ordered:

1. The due date for PENN's reply to Conrail's petition to revoke is extended to October 27, 1997.
2. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ Conrail simultaneously filed a petition to stay, to which PENN filed a timely reply in opposition. The petition to stay will be addressed separately unless it is mooted by the parties' reported agreement.