

21553 SERVICE DATE - FEBRUARY 18, 1997

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FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33347]¹

Union Pacific Railroad Company--Trackage Rights Exemption--
Elgin, Joliet and Eastern Railway Company

Elgin, Joliet and Eastern Railway Company has agreed to grant overhead trackage rights to Union Pacific Railroad Company (Union Pacific) over 11 miles of rail line between milepost 25.2 near Chicago Heights, IL, and milepost 36.2 near Griffith, IN. The transaction was expected to be consummated on, or as soon as possible after, January 31, 1997.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice 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.

¹ On January 28, 1997, Joseph C. Szabo, on behalf of the United Transportation Union-Illinois Legislative Board, filed a petition to reject this notice of exemption and for stay of the effectiveness of the exemption. Union Pacific replied on January 30, 1997. The petition will be considered by the entire Board in a separate decision.

STB Finance Docket No. 33347

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33347, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW, Washington, DC 20423 and served on: Joseph D. Anthofer, General Attorney, 1416 Dodge Street, #830, Omaha, NE 68179.

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).

Decided: February 10, 1997.

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

Vernon A. Williams

Secretary