

28314

SERVICE DATE - SEPTEMBER 24, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33463]

The Burlington Northern and Santa Fe Railway Company—Trackage Rights

Exemption—The Houston Belt & Terminal Railway Company

The Houston Belt & Terminal Railway Company (HB&T) has agreed to grant local trackage rights to The Burlington Northern and Santa Fe Railway Company (BNSF) over HB&T's tracks in Houston, TX, as follows: (a) the West Belt main line between Belt Junction, at milepost 7.2, and TN&O Junction, at milepost 11.1; and (b) the East Belt main line between (1) milepost 0.0 and milepost 3.4, and (2) milepost 12.5, at Tower 85, and milepost 14.3, at Double Track Junction, a distance of approximately 9.1 miles.

The transaction is scheduled to be consummated on September 17, 1997.

The purpose of the local trackage rights is to permit BNSF to provide service to HB&T's shippers and to improve the operating efficiencies of the applicants.

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

STB Finance Docket No. 33463

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. 33463, 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., P. O. Box 961039, Fort Worth, TX 76161-0039.

Decided: September 15, 1997.

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

Vernon A. Williams

Secretary