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SERVICE DATE - NOVEMBER 30, 1998

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FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33681]

Fort Worth & Western Railroad Company--Acquisition Exemption--South Orient Railroad Company, Ltd.

Fort Worth & Western Railroad Company (FWWR), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire by lease and to operate approximately 176 miles of rail line of the South Orient Railroad Company, Ltd. (SORC).¹

The lines to be leased are: (1) Centex Rural Rail Transportation District's (a) Fort Worth-Ricker Line, between approximately milepost 1 + 1,541 feet near Fort Worth, TX, and approximately milepost 134 + 2,171 feet near Ricker, TX, and (b) Cresson-Cleburne Line, between approximately milepost 18 + 133 feet near Cresson, TX, and approximately milepost 0 + 1,167.1 feet near Cleburne, TX; and (2) Texas Central Railroad Company's line of railroad between approximately milepost 104.6 at Dublin, TX, and approximately milepost 129.5 at Gorman, TX.² In addition, FWWR will acquire from SORC by assignment incidental overhead trackage rights over the following lines: (1) The Burlington

¹ See Cen-Tex Rail Link, Ltd.--Merger Exemption--South Orient Railroad Company, Ltd., STB Finance Docket No. 32951 (STB served Aug. 2, 1996).

² See Cen-Tex Rail Link, Ltd.--Trackage Rights Exemption--Texas Central Railroad Company, Finance Docket No. 32521 (ICC served Aug. 18, 1994) and Cen-Tex Rail Link, Ltd.--Lease and Operation Exemption--Texas Central Railroad Company, Finance Docket No. 32596 (ICC served June 18, 1995).

Northern and Santa Fe Railway Company (BNSF) line between Ricker (approximately milepost 134 + 2,171 feet on the former Atchison, Topeka and Santa Fe Railway Company (ATSF) Dublin Subdivision) and San Angelo Junction (approximately milepost 0 + 330 feet on the former ATSF San Angelo Subdivision), (2) the line segment formerly part of the ATSF Dublin Subdivision between approximately milepost 1 + 1,541 feet near Fort Worth and approximately milepost 0 + 4,752 feet near Belt Junction, and (3) the BNSF line between approximately milepost 1 + 1,541 feet (former ATSF Dublin Subdivision) and approximately milepost 368.5 (former ATSF Fort Worth Subdivision) for certain intermodal produce shipments.³

Finally, FWWR will acquire overhead trackage rights on BNSF's former BN Wichita Falls Subdivision between approximately milepost 0.0 near Tower 55 in Fort Worth and approximately milepost 5.1 near Tower 60 in Fort Worth (including BNSF's Race Track from approximately milepost 2.2 on the preceding segment to the end of track at the connection point with the Missouri Pacific Railroad Company, a further distance of approximately 0.2 miles) and on BNSF's line between approximately milepost 1.29 on the

³ See Cen-Tex Rail Link, Ltd.--Acquisition and Operation Exemption--Certain Lines of The Atchison, Topeka and Santa Fe Railway Company, Finance Docket No. 32507 (ICC served June 10, 1994), Centex Rural Rail Transportation District--Acquisition Exemption--Certain Assets of Cen-Tex Rail Link, Ltd., Finance Docket No. 32496 (ICC served Aug. 1, 1994), and Fort Worth and Western Railroad Company--Acquisition Exemption--Line of The Atchison, Topeka and Santa Fe Railway Company, STB Finance Docket No. 33001 (STB served Aug. 13, 1996).

former ATSF Dublin Subdivision and approximately milepost 349.97 on the former ATSF Fort Worth Subdivision near Tower 60 in Fort Worth.⁴

The earliest the transaction could be consummated was November 13, 1998, the effective date of the exemption (7 days after the exemption was filed).

If the verified 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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33681, 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, one copy of each pleading must be served on Kevin M. Sheys, 1350 Eye Street, N.W., Suite 200, Washington, DC 20005-3324.

Board decisions and notices are available on our website at “WWW.STB.DOT.GOV.”

Decided: November 20, 1998.

⁴ See Fort Worth & Western Railroad Company--Trackage Rights Exemption--The Atchison, Topeka and Santa Fe Railway Company, Finance Docket No. 32524 (ICC served June 24, 1994), and Cen-Tex Rail Link, Ltd.--Trackage Rights Exemption--Burlington Northern Railroad Company and The Atchison, Topeka and Santa Fe Railway Company, Finance Docket No. 32715 (ICC served June 22, 1995).

STB Finance Docket No. 33681

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

Vernon A. Williams

Secretary