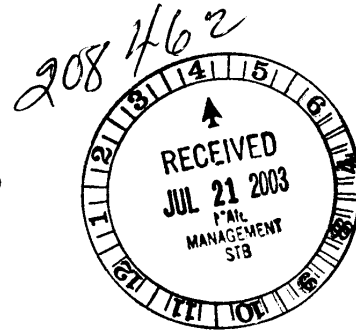


ORIGINAL

Before the
SURFACE TRANSPORTATION BOARD



Finance Docket No. 34335

KEOKUK JUNCTION RAILWAY COMPANY--FEEDER RAILROAD
DEVELOPMENT APPLICATION--LINE OF TOLEDO, PEORIA &
WESTERN RAILWAY CORPORATION BETWEEN LA HARPE AND HOLLIS, IL

APPEAL

FILED
Office of Proceedings

JUL 21 2003

Part of
Public Record

FILED

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GORDON P. MacDOUGALL
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Washington DC 20036

Attorney for Joseph C. Szabo

Due Date: July 21, 2003

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SURFACE TRANSPORTATION BOARD

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KEOKUK JUNCTION RAILWAY COMPANY--FEEDER RAILROAD
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WESTERN RAILWAY CORPORATION BETWEEN LA HARPE AND HOLLIS, IL

APPEAL

Joseph C. Szabo,^{1/} for and on behalf of United Transportation Union-Illinois Legislative Board (UTU-IL), submits this appeal from the decision of the Acting Director, Office of Proceedings, dated July 1, 2003 (served July 9). This appeal is taken pursuant to 49 CFR 1115.3.

The Board is requested to reject the Keokuk Junction Railway Company (KJRY) application. If the application is not rejected, the Board should require great specification, and supporting information, as to the actual property and franchises sought to be acquired.

1. United Transportation Union (UTU) is the collective bargaining representative for certain persons employed by Toledo, Peoria and Western Railway Company (TP&W) on the lines apparently sought to be acquired by KJRY. As such, persons represented by UTU stand to be adversely affected or aggrieved if KJRY acquires the TP&W lines, in whole or in part. UTU-IL filed preliminary comments

^{1/} Illinois Legislative Director for United Transportation Union, with offices at 8 So. Michigan Avenue, Chicago, IL 60603.

on May 5, 2003, and was an active participant in Finance Docket No. 33995, et al., SF&L Railway, Inc.--Acquisition and Operation Exemption--Toledo, Peoria and Western Railway Corporation.^{2/}

2. UTU-IL concurs, generally, with the position advanced by TP&W in its appeal filed July 18, 2003.

WHEREFORE, the Board should reverse the July 9, 2003 decision, and/or accord the relief requested herein.

Respectfully submitted,


GORDON P. MacDOUGALL
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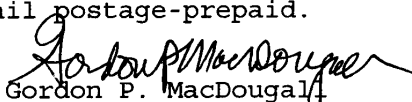
July 21, 2003

Attorney for Joseph C. Szabo

Certificate of Service

I hereby certify I have served a copy of the foregoing upon all parties of record by first class mail postage-prepaid.

Washington DC


Gordon P. MacDougall

^{2/} UTU-IL, and others, have made repeated requests that the Board on its own motion complete the transaction divestiture in F.D. No. 33995, et al., by reopening the contemporaneous and related Finance Docket No. 34143, Keokuk Junction Railway Co.--Acquisition and Operation Exemption--West End of the Toledo, Peoria and Western Railway Corporation, 67 Fed. Reg. 1535-36 (Jan. 11, 2002).