

38809
SEC

SERVICE DATE – FEBRUARY 14, 2008

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-838

EAST ST. LOUIS JUNCTION RAILROAD COMPANY—
ADVERSE ABANDONMENT—IN ST. CLAIR COUNTY, IL

STB Docket No. AB-33 (Sub-No. 199)

UNION PACIFIC RAILROAD COMPANY—
ADVERSE DISCONTINUANCE—IN ST. CLAIR COUNTY, IL

Decided: February 13, 2008

On August 20, 2003, the Illinois Department of Transportation (IDOT) filed an application under 49 U.S.C. 10903 seeking: (1) the adverse abandonment of the East St. Louis Junction Railroad Company's (ESLJ) rail line in East St. Louis, IL, and (2) the adverse discontinuance of Union Pacific Railroad Company's (UP) service over ESLJ's line. Notice of the application was served and published in the Federal Register on September 9, 2003 (68 FR 53216-17). Consistent with 49 CFR 1152.26, the notice provided that protests or written comments must be filed with the Board no later than October 6, 2003. The parties have requested, and have obtained, numerous extensions of time to file written comments or protests. The most recent extension ended on December 3, 2007.

By petition filed on February 11, 2008, IDOT requests leave to withdraw these adverse abandonment and discontinuance applications. IDOT states that it filed the applications because some of the land underlying the ESLJ line was needed for the relocation of Illinois Route 3, which runs roughly parallel to the Mississippi River in the vicinity of East St. Louis. Stating that it now appears that the highway relocation can be accomplished without disturbing UP's operations on the ESLJ line, IDOT reports that the need to go forward with the proceedings has been obviated. Leave to withdraw the applications will be granted, and the proceedings will be discontinued.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. IDOT's request for leave to withdraw these applications is granted, and the proceedings are discontinued.

2. This decision is effective on the date of service.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan
Acting Secretary