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SERVICE DATE - MAY 14, 1999

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FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33745]

Delaware and Hudson Railway Company d/b/a Canadian Pacific Railway—Trackage Rights  
Exemption—Norfolk Southern Railway Company

Norfolk Southern Railway Company (NS) has agreed to grant overhead trackage rights to Delaware and Hudson Railway d/b/a Canadian Pacific Railway (D&H) over NS's trackage described as: (1) the Harrisburg Line, between the connection with the Pittsburgh Line at CP Harris, at or near milepost 112.9, in Harrisburg, PA, and CP Walnut, at or near milepost 58.6, in Reading, PA, a distance of approximately 54.3 miles; (2) the Reading Line, between the connection with the Harrisburg Line at CP Wyomissing Jct., at or near milepost 9.4, and the connection with the Reading Belt Branch at CP Valley, Jct., at or near milepost 8.7, all in Reading, a distance of approximately 0.7 miles; and (3) the Reading Belt Branch, between CP Cumru, at or near milepost 11.0, in Reading, and CP Bird, at or near milepost 18.5, in Birdsboro, PA, a distance of approximately 7.5 miles.

The transaction is scheduled to be consummated on May 31, 1999.

The trackage rights will permit D&H to connect its current trackage rights at Harrisburg to its current trackage rights at Reading to permit fluid through movements between CP Kase, PA, and the Philadelphia, PA area.

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 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. 33745, 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 Diane P. Gerth, Esq., Leonard, Street and Deinard, 150 South Fifth Street, Minneapolis, MN 55402.

Board decisions and notices are available on our website at “[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).”

Decided: May 6, 1999.

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

Vernon A. Williams

Secretary