

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35343

SUSQUEHANNA UNION RAILROAD COMPANY—CONTROL EXEMPTION—NORTH SHORE RAILROAD COMPANY, NITTANY & BALD EAGLE RAILROAD COMPANY, SHAMOKIN VALLEY RAILROAD COMPANY, JUNIATA VALLEY RAILROAD COMPANY, LYCOMING VALLEY RAILROAD COMPANY, AND UNION COUNTY INDUSTRIAL RAILROAD COMPANY

Decided: August 26, 2010

On April 12, 2010, Susquehanna Union Railroad Company (SURC), a nonoperating holding company, filed a petition for exemption (petition) from the prior approval requirements of 49 U.S.C. § 11323(a)(4) to acquire 100% stock control of 6 Class III railroads: North Shore Railroad Company, Nittany & Bald Eagle Railroad Company, Shamokin Valley Railroad Company, Juniata Valley Railroad Company, Lycoming Valley Railroad Company, and Union County Industrial Railroad Company (System Carriers).<sup>1</sup>

The petition for exemption raises issues that require consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. § 10502(b) to consider SURC's petition. At this time, there does not appear to be a need for the parties to submit additional evidence.

It is ordered:

1. Under 49 U.S.C. § 10502(b), a proceeding is instituted.
2. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

---

<sup>1</sup> SURC's petition also requested that the Board preempt and nullify, under 49 U.S.C. § 11321(a), certain provisions of an operating agreement between SEDA-COG Joint Rail Authority (JRA) and 5 of the System Carriers that operate JRA-owned lines. At the request of SURC and JRA, the Board, by decisions served on June 6, 2010, and July 2, 2010, held this proceeding in abeyance until July 30, 2010, while parties engaged in negotiations to resolve these issues. In a filing dated July 29, 2010, SURC states that the parties have resolved the relevant issues and withdraws its preemption request.