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SERVICE DATE - APRIL 21, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33346]

Soo Line Railroad Company--Temporary Trackage Rights Exemption--I&M Rail Link,  
LLC

I&M Rail Link, LLC (I&M) has agreed to grant temporary local and overhead trackage rights to Soo Line Railroad Company d/b/a/ Canadian Pacific Railway (CPR) over I&M's trackage between milepost 123.8 near Comus and milepost 100.5 near Owatonna, in Rice and Steele Counties, MN.

This notice is related to *I&M Rail Link, LLC--Acquisition and Operation Exemption--Certain Lines of Soo Line Railroad Company D/B/A/ Canadian Pacific Railway*, STB Finance Docket No. 33326 (STB served April 2, 1997). The purpose of the trackage rights is to permit CPR to provide continuous service on the line until I&M commences operations on the line. CPR has submitted a filing in support of the notice. The temporary trackage rights will be effective on April 12, 1997, and will terminate automatically on April 12, 1999.<sup>1</sup>

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--*

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<sup>1</sup> The Board has previously authorized temporary or limited term trackage rights. Limiting the term of the trackage rights is consistent with the limited scope of the transaction. See, e.g., *Union Pacific Railroad Company--Trackage Rights Exemption--Chicago, Central & Pacific Railroad Company*, STB Finance Docket No. 32959 (Sub-No. 1) (STB served July 25, 1996).

*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. 33346, 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 Larry D. Starns, Esq., Leonard, Street and Deinard, 150 South Fifth Street, Minneapolis, MN 55402.

Decided: April 15, 1997.

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

Vernon A. Williams

Secretary