

29744

SERVICE DATE - NOVEMBER 24, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33671]

Dubois County Railroad Corporation--Lease and Operation Exemption--Indiana Railway Museum, Inc.

Dubois County Railroad Corporation (Dubois), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to lease and operate approximately 13.4 miles of rail line owned by the Indiana Railway Museum, Inc., as indicated by Dubois in its notice, from milepost 67.3 at Crystal Lake in Dubois County, IN, to milepost 79.0 at French Lick and to the end of the line at approximately milepost 1.7 at West Baden Springs in Orange County, IN. The parties have treated the track as a “spur, industrial, team, switching or side track.” However, the prospect for future operations is such that Dubois believes its operations over the entire line in the future should be properly characterized as common carrier operations over a rail line. See Chicago Rail Link, L.L.C.--Lease and Operation Exemption--Union Pacific Railroad Company, STB Finance Docket No. 33323 (STB served Dec. 31, 1997).

The earliest the transaction could be consummated was November 6, 1998, the effective date of the exemption (7 days after the exemption was filed).

If the verified notice 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. 33671, 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, one copy of each pleading must be served on Carl M. Miller, 618 Professional Park Drive, P.O. Box 332, New Haven, IN 46774.

Board decisions and notices are available on our website at
“WWW.STB.DOT.GOV.”

Decided: November 17, 1998.

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

Vernon A. Williams

Secretary

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