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SERVICE DATE - APRIL 22, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33584]

Union Pacific Railroad Company--Trackage Rights Exemption--The Burlington Northern and Santa Fe Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) from Beaumont, TX, at or near milepost 0.07 to Silsbee, TX, at or near milepost 152.16, continuing through Cleveland, TX, at or near milepost 94.9 and Conroe, TX, at or near milepost 72.1, to Navasota, TX, at or near milepost 28.14, a distance of 144.32 miles. Further, BNSF has agreed that UP may enter or exit the trackage rights line at Cleveland and at Conroe.

The transaction is expected to be consummated on or shortly after April 13, 1998, the effective date of the exemption.

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 the 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.

STB Finance Docket No. 33584

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33584, 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 Joseph D. Anthofer, General Attorney, 1416 Dodge Street, #830, Omaha, NE 68179.

Decided: April 13, 1998.

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

Vernon A. Williams

Secretary