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SEC

SERVICE DATE – MAY 29, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34330

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY
— ACQUISITION AND OPERATION EXEMPTION —
MONTANA WESTERN RAILWAY COMPANY, INC.

Decided: May 28, 2003

By petition filed on March 25, 2003, The Burlington Northern and Santa Fe Railway Company (BNSF) seeks an exemption pursuant to 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323-25 to acquire the interest of the current operator and to operate a 52-mile line of railroad extending from Garrison to Butte, MT (the line). The current operator is Montana Western Railway Company, Inc., a Class III carrier and lessee of the line, which is owned by the Oregon Short Line Railroad, a subsidiary of Union Pacific Railroad Company (UP). BNSF requested expedited handling of its petition. UP's reply was due on May 27, 2003.¹

By letter filed on May 27, 2003, UP requests an extension until June 2, 2003, to file its reply. UP states the purpose of the extension is to facilitate negotiations between UP and BNSF concerning this transaction. UP asserts that it is authorized to state that BNSF consents to the extension request.

UP's request will be granted.

It is ordered:

1. The deadline for UP to file its reply is extended to June 2, 2003.

¹ The original due date of April 14, 2003, was extended in decisions served on April 11 and May 16, 2003.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary