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SERVICE DATE - AUGUST 12, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33432]

Paducah & Louisville Railway—Trackage Rights Exemption—CSX Transportation, Inc.

CSX Transportation, Inc. (CSXT) has agreed to grant overhead trackage rights to Paducah & Louisville Railway (P&L) between the P&L/CSXT connection at Madisonville, KY, at or near milepost OOH 275, and the Providence 1 Mine and Diamond J Mine (Mines) located on CSXT's Morganfield Branch, at or near mileposts MB 288.8 and MB 294.1, respectively, a distance of approximately 18.8 miles in Hopkins and Webster Counties, KY.

The transaction is scheduled to be consummated on August 8, 1997.

The purpose of the trackage rights is to allow P&L to handle movements of coal from the Mines to the BRT Terminal for blending and for barge movement beyond to the Gallatin Steam Plant of the Tennessee Valley Authority, and to handle empties via the reverse route under contract PAL-C-0761.

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 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. 33432, 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 (1) J. Thomas Garrett, Esq., Paducah & Louisville Railway, 1500 Kentucky Avenue, Paducah, KY 42003, and (2) Fred R. Birkholz, Esq., CSX Transportation, Inc., 500 Water Street, J-150, Jacksonville, FL 32202.

Decided: August 5, 1997.

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

Vernon A. Williams

Secretary