

28804

SERVICE DATE - JANUARY 23, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33540]

Blue Mountain Railroad, Inc.--Trackage Rights Exemption--Union Pacific Railroad Company

Union Pacific Railroad Company (UP) will agree to grant local trackage rights to Blue Mountain Railroad, Inc. (BMR) between: (1) UP milepost 210.0 at Juniper, OR, and UP milepost 218.0 at Wallula Heights, WA; and (2) UP milepost 0.0 at Wallula, WA, and UP milepost 2.0 near Attilia, WA, a total distance of 10 miles. BMR will be permitted to provide local switching service only to Boise Cascade Corporation, Ponderosa Fibers, and WATCO, Inc., at Wallula, WA.

The transaction is expected to be consummated on or shortly after January 15, 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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33540, 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: Karl Morell, Ball Janik LLP, Suite 225, 1455 F Street, N.W., Washington, DC 20005.

Decided: January 15, 1998.

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

Vernon A. Williams

Secretary

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