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SERVICE DATE - JUNE 19, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33409]

Southern Pacific Transportation Company—Trackage Rights Exemption—Union Pacific  
Railroad Company

Union Pacific Railroad Company has agreed to grant overhead trackage rights to Southern Pacific Transportation Company over trackage from milepost 377.98, at Houston (near Gulf Coast Junction), to milepost 456.7, at Beaumont (near Langham Road), a distance of 78.72 miles, in the State of Texas.

The transaction is scheduled to be consummated on June 16, 1997.

The purpose of the trackage rights is to facilitate efficient train operations in a one-way directional move of rail traffic between Houston and Beaumont, TX.

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.

STB Finance Docket No. 33409

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33409, 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, Esq., 1416 Dodge Street, #830, Omaha, NE 68179.

Decided: June 12, 1997.

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

Vernon A. Williams

Secretary