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SERVICE DATE - SEPTEMBER 17, 1999

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33798]

Canadian National Railway Company--Trackage Rights Exemption--New York Central
Lines LLC

New York Central Lines LLC (NYC) has agreed to grant limited, non-exclusive overhead trackage rights to Canadian National Railway Company (CN) over a segment of NYC's lines between CP 437 on Belt Line Branch and the NYC/South Buffalo Railroad (SBRR) connection at the west end of NYC's Seneca Yard near Chicago Line milepost 5.0, both in the vicinity of Buffalo, NY, via: (i)(a) Chicago Line between CP 437 and CP 2, or (b) Compromise Branch between CP 437 and CP 2; and (ii) NYC's designated Seneca Yard trackage between CP 2 and CP 5, a total distance of approximately 7-8 miles, depending upon route, including NYC Seneca Yard trackage that CN requires to reasonably conduct interchange with SBRR.

The transaction is scheduled to be consummated on or shortly after
September 10, 1999.

The purpose of the trackage rights is generally to improve service and transit times for CN's traffic moving through the Buffalo area, and to facilitate CN's interchange with SBRR.

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. 33798, 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, one copy of each pleading must be served on Robert P. vom Eigen, Esq., Hopkins & Sutter, 888 16th Street, N.W., Washington, DC 20006.

Board decisions and notices are available on our website at
“WWW.STB.DOT.GOV.”

Decided: September 10, 1999.

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

Vernon A. Williams

Secretary