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SEC

SERVICE DATE- APRIL 15, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33726

WESTERN COAL TRAFFIC LEAGUE
v.
UNION PACIFIC RAILROAD COMPANY

Decided: April 14, 1999

On March 12, 1999, Western Coal Traffic League filed a complaint against Union Pacific Railroad Company. Complainant seeks an order directing the railroad to revise its Annual Report (Form R-1) for 1997 to identify as "special charges" certain expenses associated with its merger with the Southern Pacific Transportation Company and other expenses associated with its service problems in 1997. Defendant filed an answer on April 1, 1999, asserting, inter alia, that the cost items presented by complainant do not qualify as special charges.

Because it appears that material issues of fact can be decided on the basis of written statements, and the proceeding can be processed efficiently without oral testimony, this proceeding will be handled under modified procedure. See 49 CFR 1112.1. The names and addresses of persons currently on the service list are listed in the Appendix.

It is ordered:

1. Complainant's opening statement is due May 5, 1999.
2. Defendant's reply is due May 25, 1999.
3. Complainant's rebuttal is due June 9, 1999.
4. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

Appendix

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