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SERVICE DATE - JANUARY 8, 1999

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33698]

Union Pacific Railroad Company—Operation Exemption—A Line of Railroad Owned by the City of Los Angeles, CA, Through its Board of Harbor Commissioners

Union Pacific Railroad Company (UP) has filed a verified notice of exemption under 49 CFR 1150.31 to operate a rail line owned by the City of Los Angeles, CA, through its Board of Harbor Commissioners, a noncarrier. The 0.8-mile rail line involved in this transaction is located between milepost 17.0 and milepost 17.8, in Los Angeles, and will constitute part of the Alameda Rail Corridor (Corridor).¹

The exemption became effective on December 30, 1998, but the exempted transaction is not expected to be consummated until approximately March 2002.²

UP and BNSF will operate the rail line as part of an overall coordination of rail operations along the Corridor that will give UP and BNSF access to facilities and terminals

¹ See Alameda Corridor Construction Application, Finance Docket No. 32830 (STB served May 13, 1996).

² Applicant notes that the segment of track involved in this proceeding is located within the Port of Los Angeles and is currently being operated by UP and The Burlington Northern Santa Fe Railroad (BNSF) without prior Board authority pursuant to the provisions of 49 U.S.C. 10906. According to applicant, upon substantial completion of the Corridor, on or about March 2002, the segment of track will become part of the Corridor, and at that time, operations over the track will require the Board authorization being requested in this proceeding.

in the Ports of Los Angeles and Long Beach, CA.³ As part of the coordination project, UP has concurrently filed a verified notice of exemption in STB Finance Docket No. 33702, Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company, to acquire overhead trackage rights.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to reopen the proceeding 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. 33698, 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. Antofer, Esq., 1416 Dodge Street, No. 830, Omaha, NE 68179.

³ BNSF has filed a separate notice of exemption to operate the line in STB Finance Docket No. 33700, The Burlington Northern and Santa Fe Railway Company—Operation Exemption—A Line of Railroad Owned by the City of Los Angeles, CA, Through its Board of Harbor Commissioners.

STB Finance Docket No. 33698

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Decided: December 30, 1998.

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

Vernon A. Williams

Secretary