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SERVICE DATE - MARCH 31, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33375]

Rochester & Southern Railroad, Inc.--Acquisition and
Operation Exemption--Consolidated Rail Corporation

Rochester & Southern Railroad, Inc. (R&S), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire and operate the 0.7-mile line of Consolidated Rail Corporation (Conrail) known as the Rochester Industrial Track (Line Code 4835) between milepost 5.2 and milepost 5.9 in the State of New York. In addition, Conrail will grant incidental overhead trackage rights over the 0.3-mile West Shore Branch (Line Code 4833) between milepost 362.0 and the switch to Conrail's Genesee Junction Yard at milepost 361.7.

The transaction was expected to be consummated on or about March 14, 1997.

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 does not automatically stay the transaction.

STB Finance Docket No. 33375

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33375, 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 Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

Decided: March 24, 1997.

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

Vernon A. Williams

Secretary