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Service Date- December 26, 1996

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STE Finance Docket No. 33317]

Union Pacific Railroad Company--Trackage Rights Exemption-Duluth, Missabe and Iron Range Railway Company Duluth, Missabe and Iron Range Railway (DMIR) has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) over a total of approximately 0.83 miles of rail line located in Douglas County, WI, between milepost 17.79 near Saunders (at the EN connection), and milepost 16.96 near Pokegama (at the yard of Duluth, Winnipeg and Pacific Railway)¹The transaction was expected to be consummated on December 17, 1996. This notice is filed under 49 CFR 1180.2(d)(7). 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 will not stay the transaction.

¹The trackage rights transaction is an extension of overhead trackage rights granted to Chicago and North Western Railway Company (CNW) between South Itasca and Saunders, WI. See 47 FR 42658 (September 21, 1982). On April 25, 1995, CNW was merged into UP pursuant to authority granted Finance Docket No. 32133, and UP continued the trackage rights operation.

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An original and 10 copies of all pleadings, referring to S.B. Finance Docket No. 33317, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW, Washington, DC 20423 and served on: Joseph D. Anthofer, General Attorney, 1416 Dodge Street, #830, Omaha, NE 68179.

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. 60S (1978), as modified in Mendocino Coast Ry., Inc.--Lease and Operate, 360 I.C.C. 653 (1980)

Decided: December 17, 1996.

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

Vernon A. Williams

Secretary