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SERVICE DATE - JUNE 18, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33604]

Lone Star Railroad, Inc.--Acquisition Exemption--Union Pacific Railroad
Company

Lone Star Railroad, Inc. (LSRI), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire through lease a Union Pacific Railroad Company rail line as follows: all Abilene, TX yard tracks south of the Abilene wye track and south of the east-west main line, including the A&S Industrial Lead from milepost 0.0 to milepost 4.30, a distance of approximately 8.24 miles, at Abilene, Taylor County, TX.

The transaction was scheduled to be consummated on or shortly after May 26, 1998.

This proceeding is related to STB Finance Docket No. 33604 (Sub-No. 1), Southern Switching Company--Operation Exemption--Lone Star Railroad, Inc., wherein Southern Switching Company (SSC), also a Class III rail carrier, has concurrently filed a notice of exemption to operate the Abilene line pursuant to an operating agreement with LSRI.¹

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.

¹ LSRI and SSC are commonly controlled by Gregory B. Cundiff. See Gregory B. Cundiff--Continuance in Control Exemption--Lone Star Railroad, Inc. and Southern Switching Company, Finance Docket No. 32501 (ICC served May 27, 1994).

STB Finance Docket No. 33604

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33604, 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 Thomas F. McFarland, Jr., 20 North Wacker Drive, Suite 1330, Chicago, IL 60606-2902.

Decided: June 12, 1998.

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

Vernon A. Williams

Secretary