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SERVICE DATE - MAY 6, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-33 (Sub-No. 131X)

UNION PACIFIC RAILROAD COMPANY--ABANDONMENT EXEMPTION--  
IN CAMERON COUNTY, TX

IN THE MATTER OF AN OFFER OF FINANCIAL ASSISTANCE

Decided: May 4, 1999

By decision served on April 15, 1999, the effective date of the exemption authorizing abandonment of a 2.06-mile portion<sup>1</sup> of Union Pacific Railroad Company's (UP) 7.14-mile Brownsville Branch was postponed in order to permit the offer of financial assistance (OFA) process under 49 U.S.C. 10904 and 49 CFR 1152.27 to proceed.<sup>2</sup> The April 15 decision stated that if UP and the offeror could not agree on the purchase price, either party may request the Board to establish the terms and conditions of the purchase on or before May 10, 1999. If no agreement is reached and no request is submitted by that date, the Board will serve a decision vacating the decision and allowing the abandonment exemption to become effective.

On April 26, 1999, the offeror filed a request for a 21-day extension until May 31, 1999, for the filing of requests for the establishment of terms and conditions of the purchase. The offeror states that more time is needed for UP to estimate the value of the 2.06-mile segment of line to be acquired. The offeror also states that UP is expected to complete its estimate on or about May 10, 1999, and that 3 weeks should be allowed for the offeror to analyze that estimate and file evidence in support of a request to set terms and conditions, if necessary. UP agrees with the extension request.

Because this request is reasonable and UP agrees, the deadline for the parties to request the Board to establish terms and conditions of the purchase is extended to May 31, 1999.

This action will not significantly affect either the quality of the human environment or conservation of energy resources.

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<sup>1</sup> The portion of the line is located between the north right-of-way of Farm-to-Market Road No. 3248, also known as Alton Gloor Boulevard, at approximately milepost 199.96, and the northern terminus of the rail line at the point of connection to UP's rail line that extends east-southeast to the Port of Brownsville, TX, at milepost 197.90.

<sup>2</sup> On April 9, 1999, Rio Valley Railroad, Inc. (the offeror), timely filed an OFA in this proceeding.

It is ordered:

1. The offeror's request to extend the time period for either party to request the Board to establish the terms and conditions of the purchase is granted.
2. If UP and the offeror cannot agree on the purchase price, either party may request the Board to establish the terms and conditions of the purchase on or before May 31, 1999.
3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary