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SERVICE DATE - DECEMBER 2, 1999

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33826]

North Carolina Ports Railway Commission d/b/a Beaufort & Morehead Railway—Acquisition and Operation Exemption—Beaufort & Morehead Railway, Inc.

North Carolina Ports Railway Commission d/b/a Beaufort & Morehead Railway (NCPRC), a state agency which is a non-operating railroad, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire the railroad franchise and business of Beaufort & Morehead Railway, Inc. (BMRI), an entity it already controls. BMRI will assign its lease of a line¹ of railroad extending from milepost 0.0 to milepost 0.87, a distance of .87 miles in Carteret County, NC, to NCPRC. BMRI will cease being a railroad, and NCPRC will become the operator of the line.

The transaction is scheduled to be consummated on or after November 26, 1999.

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. 33826, 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

¹ See Beaufort & Morehad Railway, Inc.--Lease and Operation Exemption--Beaufort & Morehead Railroad Company, Finance Docket No. 31833 (ICC served Feb. 21, 1991).

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served on Fritz R. Kahn, Esq., 1100 New York Avenue, N.W., Suite 750 West, Washington, DC 20036.

Board decisions and notices are available on our website at “WWW.STB.DOT.GOV.”

Decided: November 24, 1999.

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

Vernon A. Williams

Secretary