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SERVICE DATE - LATE RELEASE NOVEMBER 12, 1996

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

SURFACE TRANSPORTATION BOARD

[STB Finance Docket No. 33244]

Union Pacific Railroad Company--Trackage Rights Exemption--Southern Pacific Transportation Company

Southern Pacific Transportation Company (SP) has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) over six rail segments that total approximately 108 miles of contiguous rail lines located in Oakland and in the vicinity of Oakland, CA, as follows: (1) the Coast Line between Oakland (MP 3.9) and Newark (MP 30.6); (2) the Hayward Line between Elmhurst (MP 13.4) and Niles (MP 29.2); (3) the Milpitas Line between Niles (MP 29.2) and Milpitas (MP 40.7); (4) the Tracy Line between Newark (MP 37.2) and Niles Junction (MP 43.0); (5) the Fresno Line between Stockton (MP 90.9) and Elvas (MP 136.2); and (6) the Sacramento Line between Sacramento (MP 88.9) and Elvas (MP 91.8).¹ The transaction was expected to be consummated on November 4, 1996, or as soon as possible after November 2, 1996, the effective date of the exemption.

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.

An original and 10 copies of all pleadings, referring to STE Finance Docket No. 33244, 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: Robert T. Opal, 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. 605 (1978), as modified in Mendocino Coast Ry., Inc.--Lease and Operate, 360 I.C.C. 653 (1980).

Decided: November 4, 1996.

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

Vernon A. Williams
Secretary

¹ UP has confirmed that the Hayward Line is between Elmhurst and Niles (rather than Niles Junction), the Milpitas Line is between Niles (rather than Niles Junction) and Milpitas, and the six rail segments total approximately 108 miles (rather than 107.8 miles).