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SERVICE DATE - OCTOBER 31, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33496]

Delphos Terminal Company, Inc.—Acquisition and Operation Exemption—Indiana Hi-Rail Corporation

Delphos Terminal Company, Inc. (DTC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 3.8 miles of rail line owned and operated by R Franklin Unger, Trustee of the Indiana Hi-Rail Corporation (Hi-Rail). The rail line to be acquired is located between approximate milepost 73.7 (Valuation Marker 3891 + 00.9), at or near Delphos, OH, and approximate milepost 77.5 (Valuation Marker 4090 + 00), at or near Landeck, OH, together with the interchange trackage connecting such line and Consolidated Rail Corporation (Conrail), at or near Delphos.¹

The transaction was scheduled to be consummated after the October 24, 1997 effective date of the exemption. The transaction is related to the Hi-Rail Trustee's filing of an Amended Plan of Reorganization with the Board in STB Finance Docket No. 33491 on October 3, 1997.

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.

¹ DTC indicates that it will contract with another entity, at the time of filing intended to be Conrail, to perform rail services over the line as a contract operator.

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. 33496, 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 Andrew P. Goldstein, Esq., McCarthy, Sweeney & Harkaway, P.C., 1750 Pennsylvania Avenue, N.W., Suite 1105, Washington, DC 20006.

Decided: October 22, 1997.

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

Vernon A. Williams

Secretary