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SEC

SERVICE DATE – LATE RELEASE NOVEMBER 12, 2002

SURFACE TRANSPORTATION BOARD

Finance Docket No. 32760

UNION PACIFIC CORPORATION, UNION PACIFIC RAILROAD COMPANY, AND
MISSOURI PACIFIC RAILROAD COMPANY—CONTROL AND MERGER—SOUTHERN
PACIFIC RAIL CORPORATION, SOUTHERN PACIFIC TRANSPORTATION
COMPANY, ST. LOUIS SOUTHWESTERN RAILWAY COMPANY, SPCSL CORP.,
AND THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY

Decision No. 99

Decided: November 12, 2002

In Decision No. 98 (served October 22, 2002), the Board directed Union Pacific Railroad Company (UP) and The Burlington Northern and Santa Fe Railway Company (BNSF) to submit, by November 21, 2002, an original and 10 copies of a report which includes: a full and complete description of any and all matters pertaining to the implementation of Section 12 of the BNSF Agreement that have either been resolved through negotiation or arbitration or that remain outstanding; an analysis of the impact of these changes to the escalation of the trackage rights charges; and proposed revised Section 12 language that fully incorporates the resolution of these matters. The Board also indicated that interested parties could submit, by December 11, 2002, comments respecting the resolution of these matters and the proposed revision to Section 12.

By letter filed November 12, 2002, BNSF and UP have requested a 20-day extension of all applicable filing deadlines with respect to Decision No. 98, including the filing deadline for any petitions for reconsideration. BNSF and UP have advised that they are currently discussing a possible overall resolution of the open issues on mutually agreeable terms and are hopeful that the additional 20 days will allow them to resolve those issues.

The request for a 20-day extension of all applicable filing deadlines with respect to Decision No. 98 is reasonable, and will, therefore, be granted.

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

It is ordered:

1. The deadline by which petitions for reconsideration of Decision No. 98 must be filed is extended to December 2, 2002.

2. The deadline by which UP and BNSF must submit an original and 10 copies of a Section 12 report (which must include: a full and complete description of any and all matters pertaining to the implementation of Section 12 that have either been resolved through negotiation or arbitration or that remain outstanding; an analysis of the impact of these changes to the escalation of the trackage rights charges; and proposed revised Section 12 language that fully incorporates the resolution of these matters) is extended to December 11, 2002.

3. The deadline by which interested parties may submit comments on the matters addressed in the Section 12 report is extended to December 31, 2002.

4. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary