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SEC

SERVICE DATE - JULY 30, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34145

BULKMATIC RAILROAD CORPORATION  
– ACQUISITION AND OPERATION EXEMPTION –  
BULKMATIC TRANSPORT COMPANY

STB Finance Docket No. 34179

BULKMATIC RAILROAD CORPORATION  
– OPERATION EXEMPTION –  
BULKMATIC TRANSPORT COMPANY

Decided: July 25, 2002

On March 4, 2002, Joseph C. Szabo, for and on behalf of the United Transportation Union-Illinois Legislative Board (UTU-IL), filed a petition requesting rejection and/or revocation of the exemptions in these proceedings.<sup>1</sup> On May 1, 2002, UTU-IL filed a supplemental statement containing new evidence and argument pertaining to its petition.

Pursuant to 49 U.S.C. 10502(d), the Board must determine whether to begin a proceeding to determine whether to revoke an exemption within 90 days of the filing of a petition for its revocation.<sup>2</sup> UTU-IL's petition for revocation raises issues that require consideration by the Board. Thus, in compliance with section 10502(d), this order instituting a formal proceeding will be issued. In further compliance with section 10502(d), a final decision will be issued within 9 months of the date of commencement of this proceeding (the service date of this decision).

The parties do not need to submit additional evidence in response to this decision.

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<sup>1</sup> These proceedings have not been consolidated and are being considered together in this decision for administrative convenience.

<sup>2</sup> UTU-IL's petition for revocation was not complete until May 1, 2002, when UTU-IL filed its supplemental statement. Thus, the 90th day in this proceeding is July 30, 2002.

It is ordered:

1. Under 49 U.S.C. 10502(d), a proceeding is instituted to consider the issues raised in UTU-IL's petition to revoke the exemptions in this proceeding.

2. The proceeding will be completed by April 30, 2003.

3. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary