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SERVICE DATE - DECEMBER 2, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-441 (Sub-No. 2X)

SWKR OPERATING CO.--ABANDONMENT EXEMPTION--
IN COCHISE COUNTY, AZ

IN THE MATTER OF A REQUEST TO SET TERMS AND CONDITIONS

Decided: November 26, 1997

By decision served November 12, 1997, the Board set the terms and conditions for subsidy and purchase of the line at issue in this proceeding. Within 10 days after the decision's service date, Chemical Lime Company (CLC) was to notify the Board and SWKR Operating Co., in writing, whether it would accept or reject those terms and conditions.

By letter filed November 21, 1997, CLC gave notice that it had decided to reject the terms and conditions established by the Board. Accordingly, the decision served April 4, 1997, in this matter, postponing the effective date of the decision authorizing abandonment of the subject line will be vacated, and the prior abandonment authorization will be effective on the service date of this decision.

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

It is ordered:

1. The decision served April 4, 1997, is vacated and the prior abandonment authorization will be effective on the service date of this decision, subject to historic preservation and standard labor protective conditions.

2. This decision will be effective on its service date.

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

Vernon A. Williams
Secretary