

28643
SEC

SERVICE DATE - DECEMBER 19, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33468

EFFINGHAM RAILROAD COMPANY
--OPERATION EXEMPTION--
LINE OWNED BY AGRACEL CORPORATION

Decided: December 12, 1997

On September 15, 1997, Effingham Railroad Company (ERRC) filed a verified notice of exemption under 49 CFR 1150.31 to operate over approximately 206.05 feet of railroad line owned by the Agracel Corporation, located in an industrial park in Effingham, IL. Notice of the exemption was served and published in the Federal Register on October 22, 1997 (62 FR 54897).

On September 22, 1997, Joseph C. Szabo, on behalf of United Transportation Union-Illinois Legislative Board (UTU-IL), filed a petition to stay the operation of the notice of exemption and to reject the notice or revoke the exemption. In a decision served September 24, 1997, the request for a stay was denied.

The petition to reject or revoke raises issues that require further consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. 10502(d) to consider UTU-IL's revocation request. At this time, there does not appear to be a need for the parties to submit additional evidence.

It is ordered:

1. Under 49 U.S.C. 10502(d), a proceeding is instituted to consider UTU-IL's petition to revoke the notice of exemption.
2. The proceeding will be completed by September 19, 1998.
3. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

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