

29000

SERVICE DATE - MARCH 11, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33551]

Kansas Southwestern Railway Company, L.L.C.--Acquisition Exemption--Union Pacific
Railroad Company

Kansas Southwestern Railway Company, L.L.C. (KSW), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire and operate approximately 287.83 miles of rail line in Kansas owned by Union Pacific Railroad Company (UP). The lines involved in the acquisition transaction consist of: (1) UP's Hutchinson Branch from MP-572.677 on the east leg of the wye and 1,213 feet of the west leg of the wye at Geneseo, KS, to MP-486.003 of the northeast leg of the wye and 984 feet of the southwest leg of the wye at Wichita, KS; (2) UP's Hardtner Branch from MP-485.938 at Wichita, KS, to MP-571.85 at Kiowa, KS; (3) UP's Stafford Branch from MP-559.028 of the south leg of the wye and 955 feet of the north leg of the wye at Conway Springs, KS, to MP-654.11 at Radium, KS; and (4) UP's Iuka Branch from MP-609.97 at Olcott, KS, to MP-630.13 at Iuka, KS. KSW currently leases and operates over the lines. Following its acquisition of the lines, KSW would continue to be the operator over the lines.

The transaction was expected to be consummated on or shortly after the March 3, 1998 effective date of the exemption.

If this notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33551, 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 Karl Morell, Esq., Ball Janik LLP, 1455 F. Street, N. W., Suite 225, Washington, DC 20005.

Decided: March 3, 1998.

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

Vernon A. Williams

Secretary