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SEC

SERVICE DATE - MARCH 16, 2000

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 33388

CSX CORPORATION AND CSX TRANSPORTATION, INC.,
NORFOLK SOUTHERN CORPORATION AND
NORFOLK SOUTHERN RAILWAY COMPANY
— CONTROL AND OPERATING LEASES/AGREEMENTS —
CONRAIL INC. AND CONSOLIDATED RAIL CORPORATION

Decision No. 143

Decided: March 16, 2000

By petition (designated UTU-8) filed March 26, 1999, the United Transportation Union (UTU) sought intensified oversight, by the Surface Transportation Board (Board) in conjunction with the Federal Railroad Administration (FRA), of the implementation of the Safety Integration Plans (SIPs) filed in the Conrail Acquisition docket by CSX¹ and NS.² Because FRA is the appropriate agency to address initially the concerns raised by UTU, the UTU-8 petition was referred to FRA by letter dated April 7, 1999, and FRA was asked to advise the Board, pursuant to the SIP process, of any action taken by FRA and of any action that needed to be taken by the Board to assure the safe implementation of the Conrail Acquisition transaction.

By letter dated February 18, 2000, FRA has advised that, as far as FRA has been able to determine, the pre-“Split Date” incidents referenced in the UTU-8 petition had no direct relationship to the Conrail Acquisition transaction and/or to the SIPs developed by CSX and NS to address the integration of operations. FRA did not in that letter advise the Board, nor has FRA in any other manner advised the Board, that any action needs to be taken by the Board to assure the safe implementation of the Conrail Acquisition transaction.

Because FRA has not advised that any action needs to be taken by the Board to assure the safe implementation of the Conrail Acquisition transaction, the UTU-8 petition will be dismissed.

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

¹ CSX Corporation and CSX Transportation, Inc., are referred to collectively as CSX.

² Norfolk Southern Corporation and Norfolk Southern Railway Company are referred to collectively as NS.

It is ordered:

1. The UTU-8 petition is dismissed.
2. This decision will be effective on the date of service.

By the Board, Vernon A Williams, Secretary.

Vernon A. Williams
Secretary