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SEC

SERVICE DATE – LATE RELEASE DECEMBER 14, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35045

DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY—AMENDED TRACKAGE RIGHTS EXEMPTION—DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

STB Finance Docket No. 35046

DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY—AMENDED TRACKAGE RIGHTS EXEMPTION—DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY

STB Finance Docket No. 35047

WISCONSIN CENTRAL LTD.—TRACKAGE RIGHTS EXEMPTION—DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY

STB Finance Docket No. 35048

WISCONSIN CENTRAL LTD.—TRACKAGE RIGHTS EXEMPTION—DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY

STB Finance Docket No. 35049

DULUTH, MISSABE AND IRON RANGE RAILWAY COMPANY—TRACKAGE RIGHTS EXEMPTION—WISCONSIN CENTRAL LTD.

STB Finance Docket No. 35050

DULUTH, WINNIPEG AND PACIFIC RAILWAY COMPANY—TRACKAGE RIGHTS EXEMPTION—WISCONSIN CENTRAL LTD.

Decided: December 14, 2007

On July 23, 2007, United Transportation Union (UTU) filed a petition to revoke the six exemptions noticed in these proceedings on June 29, 2007. UTU contends that the sole purpose of the exemptions was to circumvent existing collective bargaining agreements. The exemptions became effective on July 14, 2007.

In a decision served on August 15, 2007, the Board granted the joint motion of Wisconsin Central Ltd., Duluth, Winnipeg and Pacific Railway Company, and Duluth, Missabe and Iron Range Railway Company (collectively, CN) requesting that UTU's petition to revoke in these proceedings be held in abeyance for 60 days to October 15, 2007, to give the parties time to negotiate a resolution of the issues raised in the petition to revoke. At CN's request, the Board, in a decision served on October 11, 2007, granted a second motion to hold the petition to revoke in these proceedings in abeyance for an additional 60 days to December 14, 2007.

On December 7, 2007, CN filed a motion requesting that the Board further hold these proceedings in abeyance for 60 days. CN states that the parties have not been able to reach an agreement on the matters raised in the petition to revoke, but that they have agreed to meet and work on an agreement over the next 60 days. CN states that UTU concurs in the request.

The request is reasonable and consistent with the Board's preference for private-sector negotiation and resolution of disputes. Therefore, this request will be granted.

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

It is ordered:

1. The motion to continue to hold consideration of the petition to revoke in these proceedings in abeyance for an additional 60 days is granted.
2. The due date for CN to reply to UTU's petition to revoke is extended to February 12, 2008.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary