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SERVICE DATE - APRIL 17, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 32607 (Sub-No. 2)]

DeQueen & Eastern Railroad Company and Texas, Oklahoma & Eastern Railroad
Company--Trackage Rights Exemption--WFEC Railroad Company

WFEC Railroad Company (WFECR) has agreed to grant bridge trackage rights to
DeQueen & Eastern Railroad Company and Texas, Oklahoma & Eastern Railroad
Company (collectively TOE) over its entire line of railroad in Choctaw and McCurtain
Counties, OK.¹

The transaction is scheduled to be consummated on or after the April 14, 1997
effective date of the exemption. The purpose of the trackage rights is to increase the
efficiency of the unit train rail operation serving Western Farmers.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve
a rail carrier of its statutory obligation to protect the interests of its employees. Section
11326(c), however, does not provide for labor protection for transactions under sections
11324 and 11325 that involve only Class III rail carriers. Because this transaction involves
Class III rail carriers only, the Board, under the statute, may not impose labor protective
conditions for this transaction.

¹ TOE will conduct actual train operations over the WFECR line to serve Western
Farmers Electric Cooperative's generating station (Western Farmers) and will have no
authority to serve any other shippers that might locate on the line. WFECR will retain the
authority and responsibility for serving any such shippers.

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This notice is filed under 49 CFR 1180.2(d)(7). If it 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 will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32607 (Sub-No. 2) 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 Donald G. Avery, Esq., Slover & Loftus, 1224 Seventeenth Street, N.W., Washington, DC 20036.

Decided: April 10, 1997.

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

Vernon A. Williams

Secretary