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SERVICE DATE - DECEMBER 12, 1997

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FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33521]

Norfolk Southern Railway Company—Trackage Rights Exemption—Pickens Railway Company

Pickens Railway Company (Pickens) has agreed to grant local access trackage rights to Norfolk Southern Railway Company (NSR) over approximately 1.2 miles of Pickens' tracks between former NSR milepost Z-9.0 and former NSR milepost Z-10.2, the division of ownership between Pickens and NSR at Murray Street, in Anderson, SC.

The transaction is scheduled to be consummated after the closing date of the transaction in Pickens Railway Company—Acquisition and Operation Exemption—Norfolk Southern Railway Company, STB Finance Docket No. 33423 (STB served July 17, 1997), which is anticipated to be on or after December 11, 1997.

The purpose of the trackage rights is to permit NSR to provide service on a joint basis with Pickens to present and future rail patrons and to park occupied circus train cars in Anderson.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in Norfolk and Western Ry. Co.--Trackage Rights--BN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry., Inc.--Lease and Operate, 360 I.C.C. 653 (1980).

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. 33521, 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 James R. Paschall, Esq., Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510-9241.

Decided: December 4, 1997.

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

Vernon A. Williams

Secretary