

29051
SEC

SERVICE DATE - MARCH 19, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33528

EFFINGHAM RAILROAD COMPANY
— OPERATION EXEMPTION —
LINE OWNED BY TOTAL QUALITY WAREHOUSE

Decided: March 18, 1998

On December 3, 1997, Effingham Railroad Company (ERRC) filed a verified notice of exemption under 49 CFR 1150.31 to operate over approximately 9,201 feet of railroad line that will be constructed for and acquired by Total Quality Warehouse (TQW), located in an industrial park in Effingham, IL. Notice of the exemption was served and published in the Federal Register on December 30, 1997 (62 FR 67937).

On December 9, 1997, Joseph C. Szabo, on behalf of United Transportation Union-Illinois Legislative Board (UTU-IL), filed a petition to stay the operation of the notice of exemption and to reject the notice or revoke the exemption.¹ In a decision served December 16, 1997, the request for a stay was denied.

The petition to reject or revoke raises issues that require further consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. 10502(d) to consider UTU-IL's revocation request. At this time, there does not appear to be a need for the parties to submit additional evidence.

It is ordered:

1. Under 49 U.S.C. 10502(d), a proceeding is instituted to consider UTU-IL's petition to revoke the notice of exemption.
2. The proceeding will be completed by December 9, 1998.

¹ ERRC replied on December 11, 1997.

3. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary