

SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 32760 (Sub-No. 21)

UNION PACIFIC CORPORATION, UNION PACIFIC RAILROAD COMPANY,
AND MISSOURI PACIFIC RAILROAD COMPANY--CONTROL AND MERGER--
SOUTHERN PACIFIC RAIL CORPORATION, SOUTHERN PACIFIC
TRANSPORTATION COMPANY, ST. LOUIS SOUTHWESTERN RAILWAY
COMPANY, SPCSL CORP., AND THE DENVER AND RIO GRANDE
WESTERN RAILROAD COMPANY

[OVERSIGHT]

(Decision No. 8)

Decided: August 1, 1997

Comments respecting the competitive effects of the UP/SP merger and the implementation of the conditions imposed to address competitive harms are due on August 1, 1997, and replies to such comments are due on August 20, 1997. *See* Decision No. 1 (served May 7, 1997, and published that day in the *Federal Register* at 62 FR 25014).¹

By letter dated July 23, 1997, the Oregon Department of Transportation (Or/DOT), claiming that it did not receive applicants' third quarter 1997 progress report (dated July 1, 1997) until July 22, 1997, has asked that the due date for its comments be extended to August 15, 1997.²

By letter dated and filed August 1, 1997, applicants, acknowledging that Or/DOT did not receive applicants' third quarter progress report until July 22, indicate that they take no position on Or/DOT's request.

Decision No. 1 was served and published on May 7, 1997, giving Or/DOT and all other interested persons 12-weeks' notice that comments were due on August 1, 1997, and allowing them more than sufficient time either to prepare their comments or to seek an extension of time well in advance of the comment due date. Nevertheless, because applicants do not formally oppose Or/DOT's extension request, it will be granted, and applicants will likewise be granted an extension of time for filing a reply to Or/DOT's comments.

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

¹ The UP/SP merger was approved, subject to certain conditions, in *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company--Control and Merger--Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company*, Finance Docket No. 32760, Decision No. 44 (STB served Aug. 12, 1996).

² At the present time, the term "applicants" refers to Union Pacific Corporation (UPC), Union Pacific Railroad Company (UPRR), Southern Pacific Rail Corporation (SPR), Southern Pacific Transportation Company (SPT), and St. Louis Southwestern Railway Company (SSW). The term "applicants" previously embraced, in addition to the foregoing, Missouri Pacific Railroad Company (which was merged into UPRR on January 1, 1997) and SPCSL Corp. and The Denver and Rio Grande Western Railroad Company (which were merged into UPRR on June 30, 1997).

It is ordered:

1. The procedural schedule established in Decision No. 1, as modified in Decision No. 5, remains in effect, except as indicated in ordering paragraph 2.
2. Comments by Or/DOT are due on August 15, 1997. Applicants' reply to Or/DOT's comments is due on September 3, 1997.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary