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SEC

SERVICE DATE - DECEMBER 31, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33290

SAULT STE. MARIE BRIDGE CO.--ACQUISITION AND OPERATION EXEMPTION--  
LINES OF UNION PACIFIC RAILROAD COMPANY

Decided: December 30, 1998

On December 30, 1996, Sault Ste. Marie Bridge Company (SSMB), a Class III common carrier by rail, filed a notice of exemption under 49 CFR 1150.41 et seq. to acquire and operate rail lines of Union Pacific Railroad Company (UP) in the Upper Peninsula of Michigan and northern Wisconsin (the "Duck Creek North Lines").

On January 6, 1997, Inland Steel Company and LTV Steel Company, Inc. (protestants) jointly filed a petition to reject the notice of exemption or to revoke the exemption. Simultaneously, protestants filed a petition to stay the effectiveness of the notice of exemption pending a ruling on the petition to reject or revoke. By decision served January 24, 1997, the stay request was denied and a procedural schedule was set out to provide opportunities for the parties to supplement the record prior to the Board's consideration of the petition to revoke or reject. Protestants filed a supplemental petition to reject or revoke on September 17, 1997.

The parties reported settlement discussions between them as early as 1997 and, on April 1, 1998, protestants and SSMB jointly advised the Board that they had reached agreement in principle on the terms of a settlement.

By motion filed December 11, 1998, protestants state that they have reached a complete settlement of their underlying disputes with SSMB and its affiliates, and request withdrawal of their petitions to reject or revoke. Protestants also ask that the proceedings based on those petitions be discontinued. By letter filed December 28, 1998, SSMB states that it fully supports protestants' request. Protestants' request is reasonable and 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. Protestants' request to withdraw their petitions to reject or revoke is granted and the proceedings based on those filings are discontinued.
2. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary