

43039
DO

SERVICE DATE – APRIL 9, 2013

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 33 (Sub-No. 306X)

UNION PACIFIC RAILROAD COMPANY – ABANDONMENT AND DISCONTINUANCE
EXEMPTION – IN CAMERON COUNTY, TEX.

Docket No. AB 1091X

BROWNSVILLE AND MATAMORAS BRIDGE COMPANY – ABANDONMENT
EXEMPTION – IN CAMERON COUNTY, TEX.

Decided: April 9, 2013

This decision grants the motion of the parties to hold this proceeding in abeyance for 90 days.

On December 20, 2012, Union Pacific Railroad Company (UP) and Brownsville and Matamoros Bridge Company (B&M) (collectively, Petitioners) jointly filed with the Surface Transportation Board a petition under 49 U.S.C. § 10502 for exemption from the provisions of 49 U.S.C. § 10903 to permit: (1) UP to abandon and discontinue the portion of UP's Brownsville Subdivision from milepost 7.4 at Olmito Junction to milepost 0.22 at Brownsville, Tex. (UP's Brownsville Subdivision); and (2) B&M to abandon its 0.8-mile line from its connection to UP's Brownsville Subdivision near UP milepost 0.41 to the international border with Mexico located near the center-point of B&M's bridge at Brownsville (B&M Bridge Line), a total distance of 7.98 miles in Cameron County, Tex. (collectively, the Line). Notice of the proposed abandonment and discontinuance was served and published in the Federal Register on January 9, 2013. 78 Fed. Reg. 1935.

On January 23, 2013, Petitioners filed an amended joint petition asking the Board to find that the proposed project was a relocation of the Line. Petitioners stated that their plans with respect to the Line are part of a larger project to relocate UP's rail operations between Olmito Junction and the border with Mexico (the Brownsville/Matamoros West Rail Relocation Project). On March 28, 2013, Petitioners filed a request that the Board hold any further proceedings in this docket in abeyance for 90 days. Petitioners state that they are in the process of entering into agreements and obtaining the necessary corporate board authority for UP to acquire B&M's common carrier rights and obligations to facilitate relocation of the Line. The Petitioners believe the 90-day abeyance period will provide the time necessary to complete those agreements.

The request to hold this proceeding in abeyance for 90 days is reasonable and will be granted as provided below. The Petitioners are directed to submit a status report on their progress 30 days prior to the expiration of the abeyance period, and to advise whether a further abeyance period is necessary for Petitioners to obtain all necessary corporate and/or regulatory authority.

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

It is ordered:

1. Petitioners' request is granted and this proceeding is held in abeyance for 90 days, until July 8, 2013.
2. The Petitioners shall submit a status report by June 10, 2013.
3. This decision is effective on April 9, 2013.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.