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Service Date- December 20, 1996

SEC

SURFACE TRANSPORTATION BOARD

DECISION

[ST.B. Finance Docket No. 33300

NEW YORK & ATLANTIC RAILWAY COMPANY--OPERATION EXEMPTION--
THE LONG ISLAND PAIL ROAD COMPANY

[ST.B. Finance Docket No. 33301

PETER A. GILBERTON H. TERRY HEARST, BRUCE A. LIEBERMAN
R.LAWRENCE MCCAFFREY, JR., AND HAROLD F. PARMLY--
CONTINUANCE IN CONTROL EXEMPTION--
NEW YORK & ATLANTIC RAILWAY COMPANY

Decided: December 20, 1996

On December 5, 1996, notices of exemption were filed in the above-captioned matters by the New York & Atlantic Railway Company (NYAR) to acquire the freight operations of The Long Island Rail Road Company (LIRR) and by Peter A. Gilbertson, H. Terry Hearst, Bruce A. Lieberman, R. Lawrence McCaffrey, Jr. and acquire the right to operate the freight business on an exclusive basis, and conduct other freight operations on approximately 268.6 route miles in the State of New York owned by LIRR.

A letter of opposition to the notices of exemption was filed on December 11, 1996, by Claire Shulman, President of the Borough of Queens, City of New York (Shulman) . By letter filed December 18, 1996, NYAR requests an extension of time until January 10, 1997 to file a reply to the letter of opposition. NYAR represents that Counsel for Shulman has agreed to the extension request.

The extension request will be granted.

it is ordered:

- 1.N YAR's extension request is granted.
2. N YAR's reply is due on January 10, 1997

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By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

