

38449
EB

SERVICE DATE – LATE RELEASE OCTOBER 17, 2007

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 35063

MICHIGAN CENTRAL RAILWAY, LLC
– ACQUISITION AND OPERATION EXEMPTION –
LINES OF NORFOLK SOUTHERN RAILWAY COMPANY

Decided: October 17, 2007

By this decision, the Board is extending the time for issuing a final decision in this proceeding.

In this proceeding, the Board is evaluating the petition of Michigan Central Railway, LLC (MCR) to exempt its acquisition and operation of certain railroad lines of the Norfolk Southern Railway Company (NSR) in Michigan and Indiana. By decision and notice served on August 24, 2007, and published on the same date in the Federal Register at 72 FR 48728-29, the Board extended the procedural schedule previously adopted at the request of MCR in this proceeding by 2 weeks to allow more time for the preparation and submission of comments by interested persons and for a corresponding amount of time for MCR and NSR to file replies. The Board also extended the date sought by MCR for issuing a final decision from October 11, 2007, to October 25, 2007.¹

Given the unique circumstances of the proposed transaction and the attendant issues raised by these filings, the Board will require more time for its analysis than provided in the current procedural schedule. Accordingly, the Board plans to issue a decision on the merits in this proceeding by December 10, 2007.

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

It is ordered:

1. The Board is extending to December 10, 2007, the date by which the Board plans to issue a final decision in this proceeding.

¹ Under 49 U.S.C. 10502(b), the statutory deadline for issuance of a final decision is May 2, 2008 (9 months after the August 2, 2007 effective date of the decision commencing this proceeding).

2. This decision is effective on its service date.

By the Board, Chairman Nottingham, Vice Chairman Buttrey, and Commissioner Mulvey.

Vernon A. Williams
Secretary