

32296
SEC

SERVICE DATE - NOVEMBER 21, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-458X¹

CALIFORNIA NORTHERN RAILROAD COMPANY—DISCONTINUANCE EXEMPTION—
IN MERCED COUNTY, CA

Decided: November 16, 2001

In a decision that was served on September 7, 2001, the Board granted the California Northern Railroad Company (CNR) an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, permitting CNR to discontinue service over a 1.10-mile segment of the Los Banos Branch, extending from milepost 140.07 to milepost 141.17 in Los Banos, Merced County, CA. The exemption became effective on October 7, 2001.

On November 2, 2001, ParkSierra Corp. (ParkSierra or petitioner) filed a petition seeking clarification of the Board's decision. According to petitioner, the assets of California Northern Railroad Company, L.P. (as well as those of the Arizona & California Railroad Company, Limited Partnership, which is not involved here) were consolidated into ParkSierra on or about September 20, 1990.² ParkSierra, however, continues to use the trade name CNR for its operations in Northern California. Petitioner states that the discontinuance authority was mistakenly sought in the name of CNR rather than in the name of ParkSierra. Petitioner requests that the Board clarify that ParkSierra is the corporate entity authorized to discontinue service over the subject rail line. The request to substitute ParkSierra for CNR in the Board's prior decision is reasonable and will be granted.

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

¹ This proceeding was embraced in the decision in Union Pacific Railroad Company—Abandonment Exemption—in Merced County, CA, STB Docket No. AB-33 (Sub-No. 179X) (STB served Sept. 7, 2001), where Union Pacific was authorized to abandon the involved line segment.

² See ParkSierra Corp., Arizona & California Railroad Company Limited Partnership, and California Northern Railroad Company, L.P.—Corporate Family Transaction Exemption, STB Finance Docket No. 33932 (STB served Sept. 27, 2000).

It is ordered:

1. ParkSierra's petition to clarify the Board's decision is granted.
2. This decision is effective on the date it is served.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary