

21347

SERVICE DATE - JANUARY 3, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33305]

Union Pacific Railroad Company--Acquisition Exemption--Idaho
Northern & Pacific Railroad Company

Union Pacific Railroad Company (UP), a Class I rail carrier, has filed a notice of exemption under 49 CFR 1180.2 to acquire trackage and right-of-way owned by Idaho Northern & Pacific Railroad Company (INP) and previously authorized for abandonment, subject to negotiations for trail use,¹ between milepost 1.0, near Weiser, and milepost 84.1 at Rubicon, in Washington and Adams Counties, ID (Line). UP notes that it has no plan to reactivate rail service on the Line at this time, although reactivation for rail service would be possible in the future if the Line were conveyed to a trail user under the Trails Act. In its

¹ Abandonment of the Line was authorized in Idaho Northern & Pacific Railroad Company--Abandonment and Discontinuance Exemption--in Washington and Adams Counties, ID, Docket No. AB-433 (Sub-No. 2X) (ICC served Nov. 1, 1995). In addition, the Interstate Commerce Commission, by decision served December 28, 1995, issued a notice of interim trail use under the National Trails System Act, 16 U.S.C. 1247(d) (Trails Act).

notice, UP has stated that, if trail use negotiations are unsuccessful, UP will abandon the Line pursuant to the authorization granted in Docket No. AB-433 (Sub-No. 2X).

UP's acquisition transaction was expected to be consummated on or after December 19, 1996.

As a condition to this exemption, any employees adversely affected by the transaction will be protected under New York Dock Ry.--Control--Brooklyn Eastern Dist., 360 I.C.C. 60 (1979).

If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33305, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Joseph D. Anthofer, Esq., 1416 Dodge Street, Omaha, NE 68179.

Decided: December 23, 1996.

STB Finance Docket No. 33305

By the Board, David M. Konschnik, Director, Office of
Proceedings.

Vernon A. Williams

Secretary