

SEC
30025

SERVICE DATE - FEBRUARY 10, 1999

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33609¹

NORFOLK SOUTHERN RAILWAY COMPANY—PURCHASE
EXEMPTION—UNION PACIFIC RAILROAD COMPANY

STB Finance Docket No. 33610

NORFOLK SOUTHERN RAILWAY COMPANY—LEASE AND OPERATION
EXEMPTION—UNION PACIFIC RAILROAD COMPANY

Decided: February 5, 1999

In STB Finance Docket No. 33609, Norfolk Southern Railway Company (NSR), successor by merger to Norfolk and Western Railway Company (NW), sought an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323-25 to purchase from Union Pacific Railroad Company (UP) approximately 15.3 miles of rail line located between milepost 104.8 at Monterey Junction, IL (including the southwest leg of the wye track between mileposts 104.5 and 104.8), and milepost 119.8 at DeCamp, IL, as well as certain yard tracks known as the Wiggins Track, the New Pass Track and the CNW (AGE) Main Track, at Madison, IL. The exemption was granted in a decision served and published on October 29, 1998 (63 FR 58903).

In STB Finance Docket No. 33610, NSR sought an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323-25 to lease and operate approximately 4.7 miles of UP's line between Monterey Lead Milepost 4.4 at Monterey Mine No. 1 (Mine), near Carlinville, IL, and Monterey Lead Milepost 0.0 at Monterey Junction, IL, and a leg of the wye track and related trackage between mileposts 104.5 and 104.8 at Monterey Junction. The exemption was granted by a decision served and published on November 20, 1998 (63 FR 64538).

On November 19, 1998, Central Illinois Public Service Company, doing business as AmerenCIPS (AmerenCIPS), filed a petition to reopen the purchase exemption granted in STB Finance Docket No. 33609. On December 3, 1998, AmerenCIPS filed a petition to reopen the lease and operation exemption granted in STB Finance Docket No. 33610. NSR filed replies on December 8, 1998, and December 21, 1998.

The petitions to reopen raise issues that require further consideration by the Board. By this decision, the Board is instituting a proceeding under 49 U.S.C. 10502(d) to consider AmerenCIPS'

¹ These proceedings are not consolidated. A single decision is being issued for administrative convenience.

petitions to reopen. At this time, there does not appear to be a need for the parties to submit additional evidence.

It is ordered:

1. Under 49 U.S.C. 10502(d), a proceeding is instituted to consider AmerenCIPS petitions to reopen these proceedings.
2. This proceeding will be completed by November 10, 1999.
3. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary