

28533

SERVICE DATE - NOVEMBER 21, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33503]

Delaware Transportation Group, Inc.—Acquisition Exemption—Delaware Valley Railway Company, Inc.

Delaware Transportation Group, Inc. (DTGI), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from the Delaware Valley Railway Company, Inc. approximately 23.4 miles of rail line between approximately milepost 31.2, at Gettysburg, PA, and milepost 7.8, at Mt. Holly Springs, PA.

The transaction is scheduled to be consummated on or after October 31, 1997.

This transaction is related to two simultaneously filed notices of exemption in STB Finance Docket No. 33505, John H. Marino—Continuance in Control Exemption—Delaware Transportation Group, Inc., Gettysburg Railway Company, Inc., and Evansville Terminal Company, Inc., wherein John H. Marino will continue in control of DTGI, upon its becoming a Class III rail carrier and STB Finance Docket No. 33504, Gettysburg Railway Company, Inc.—Lease and Operation Exemption—Delaware Transportation Group, Inc., wherein Gettysburg Railway Company, Inc., will lease and operate the lines being acquired by DTGI.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C.

10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33503, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Robert A. Wimbish, Esq., Rea, Cross & Auchincloss, 1920 N Street, N.W., Suite 420, Washington, DC 20036.

Decided: November 17, 1997.

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

Vernon A. Williams

Secretary

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