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SERVICE DATE - LATE RELEASE NOVEMBER 12, 1996

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

SURFACE TRANSPORTATION BOARD

[STB Finance Docket No. 33245]

Southern Pacific Transportation Company--Trackage Rights Exemption--Union Pacific Railroad Company

Union Pacific Railroad Company (UP) has agreed to grant overhead trackage rights to Southern Pacific Transportation Company (SP) over three rail segments that total approximately 85.6 miles of contiguous rail lines located in Oakland and in the vicinity of Oakland, CA, as follows: (1) the Canyon Subdivision between Magnolia Tower (MP 5.80) and Niles Junction (MP 30.90); (2) the Canyon Subdivision between Stockton (MP 91.50) and Haggin Yard (Sacramento) (MP 139.80); and (3) the San Jose Subdivision between Niles Junction (MP 0.00) and Milpitas (MP 12.20). The transaction was expected to be consummated on November 4, 1996, or as soon as possible after November 2, 1996, the effective date of the exemption.

This notice is filed under 49 CFR 1180.2(d)(7). 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 will not stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33245, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW, Washington, DC 20423 and served on: James V. Dolan, vice President-Law, 1416 Dodge Street, #830, Omaha, NE 68179.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in Norfolk and Western RV. Co.--Trackage Rights--EN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry., Inc.--Lease and Operate, 360 I.C.C. 653 (1980).

Decided: November 4, 1996.

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

Vernon A.. Williams  
Secretary