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SERVICE DATE - JUNE 2, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33600]

Wisconsin Central Ltd.—Trackage Rights Exemption—Wisconsin & Southern Railroad Company

Wisconsin & Southern Railroad Company (WSOR), a Class III rail carrier, has agreed to grant non-exclusive overhead trackage rights to Wisconsin Central Ltd (WCL), a Class II rail carrier, over WSOR's line of railroad between milepost 112.6, at Rugby Junction, WI, and milepost 93.4, at North Milwaukee, WI, including trackage connecting with Fox Valley & Western Ltd.'s (FVW) main line at DBR Junction (milepost 103.1), a distance of approximately 19.2 miles.

The purpose of the trackage rights is to interchange cars between WCL and the Canadian Pacific and Union Pacific and between WCL and FVW, as well as connecting various WCL and FVW lines and trackage rights.

As a condition to this exemption, any employees affected by the trackage rights will be protected as required by 49 U.S.C. 11326(b), subject to the procedural interpretations of the analogous statutory provisions at 49 U.S.C. 10902 contained in the Board's decision in Wisconsin Central Ltd.--Acquisition Exemption--Lines of Union Pacific Railroad Company, STB Finance Docket No. 33116 (STB served Apr. 17, 1997) (WCL Exemption).¹

¹ WCL has stated that it is alternatively willing to accept the conditions set out in
(continued...)

The transaction is scheduled to be consummated on or after June 1, 1998.²

This notice is filed under 49 CFR 1180.2(d)(7). If it 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 automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33600, 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 Michael J. Barron, Jr., Esq., Wisconsin Central Ltd., 6250 North River Road, Suite 9000, Rosemont, IL 60018.

Decided: May 26, 1998.

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

Vernon A. Williams

Secretary

¹(...continued)

Norfolk and Western Ry. Co.--Trackage Rights--BN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry., Inc. - Lease and Operate, 360 I.C.C. 653 (1980). Section 11326(b) provides that parties may agree to terms other than as provided in that subsection.

² The notice to employees discussed in WCL Exemption and recently adopted as a requirement for certain transactions in Acquisition of Rail Lines Under 49 U.S.C. 10901 and 10902—Advance Notice of Proposed Transactions, STB Ex Parte No. 562 (STB served Sept. 9, 1997), does not apply to exempt trackage rights transactions.