

21711  
DO

SERVICE DATE - MARCH 24, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Ex Parte No. 537

ABANDONMENT AND DISCONTINUANCE OF RAIL LINES AND  
RAIL TRANSPORTATION UNDER 49 U.S.C. 10903

Decided: March 20, 1997

By decision served December 24, 1996, the Board revised its regulations concerning abandonment and discontinuance procedures at 49 CFR 1152 and made conforming changes to the environmental rules at 49 CFR 1105. As pertinent here, the Board required at section 1152.13(b), that rail carriers submit revised and updated system diagram maps (SDMs) by March 24, 1997.

By petition filed March 12, 1997, Norfolk Southern Railway Company (NSR) states that it will soon be filing an application to acquire all or part of Consolidated Rail Corporation (Conrail). Due to the uncertainties involving the properties to be acquired and which properties, including NSR properties, may become surplus as a result of the proposed acquisition, NSR contends that any maps filed on March 24, 1997, could become obsolete within weeks. Accordingly, NSR requests a waiver of the March 24 due date and an extension of the due date to 30 days after the filing of an application by NSR to acquire Conrail or a portion of the assets of that company. Petitioner contends that this new date should be near the June 30, 1997 due date for amended and updated maps that would have applied if the Board had not revised the regulations.

NSR's request for an extension of time to file its SDM is reasonable and an extension will be granted. However, NSR must file the required materials 30 days after filing an application in the Conrail proceeding or by June 30, 1997, whichever occurs first. Should additional time be required, petitioner may request a further extension.

It is ordered:

1. Petitioner's request to extend the due date for filing its SDM is granted.
2. Petitioner's revised and updated color-coded SDM and line descriptions are due 30 days after filing an application in the Conrail proceeding or by June 30, 1997, whichever occurs first.
3. This decision is effective on its service date.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams  
Secretary