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SEC

SERVICE DATE - MAY 15, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 32760 (Sub-No. 25)

UNION PACIFIC CORPORATION, UNION PACIFIC RAILROAD COMPANY,
AND MISSOURI PACIFIC RAILROAD COMPANY--CONTROL AND MERGER--
SOUTHERN PACIFIC RAIL CORPORATION, SOUTHERN PACIFIC
TRANSPORTATION COMPANY, ST. LOUIS SOUTHWESTERN RAILWAY
COMPANY, SPCSL CORP., AND THE DENVER AND RIO GRANDE
WESTERN RAILROAD COMPANY

Decided: May 14, 1998

By decision served on February 11, 1998, the Board ordered Union Pacific Railroad Company (UP), the respondent in this proceeding, and the Brotherhood of Maintenance of Way Employes (BMWE) to submit supplemental statements addressing certain concerns arising from BMWE's appeal of the October 15, 1997 Arbitration Award. A procedural schedule was established for the simultaneous filing of supplemental statements and of replies. By decisions served on March 2, March 26, and April 7, 1998, the parties' previous requests for extensions of time in which to file supplemental statements and responses were granted. As a result of the most recent extension of time, supplemental statements were due on May 11, 1998, and replies were due on May 21, 1998.

On May 8, 1998, UP and BMWE filed a joint motion for a fourth extension of time to file opening supplemental statements. The parties state that they have reached a tentative agreement in principle that would dispose of the issues in this case and that also would implement the consolidation of maintenance-of-way forces in UP's Eastern Territory, which is independent of BMWE's appeal of the October 15, 1997 Arbitration Award. The parties state that a 45-day extension is now required for the agreement to be reduced to writing and for BMWE to subject the written agreement to its ratification processes. If BMWE does ratify the agreement, the parties state that the consolidation of maintenance-of-way forces throughout the UP system will have been accomplished by the parties voluntarily, without the need for further arbitration or review by the Board.

The motion will be granted. Because a 45-day time extension would require the parties to submit their responses during the Fourth of July holiday weekend, the due date for their responses will be set for the following Tuesday. Accordingly, the procedural schedule established in the April 7 decision will be modified as set forth below.

It is ordered:

1. The parties' supplemental statements are due June 25, 1998.
2. The parties' responses are due July 7, 1998.
3. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary