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SERVICE DATE - APRIL 15, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33364]

The Burlington Northern and Santa Fe Railway Company--Acquisition and Operation
Exemption--Lac Qui Parle Regional Railroad Authority

The Burlington Northern and Santa Fe Railway Company (BNSF), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 35.43 miles of line owned by the Lac Que Parle Regional Railroad Authority (Lac Qui)¹ extending from milepost 0.00, at Hanley Falls, MN, to milepost 35.43, at Madison, MN.²

The transaction is expected to be consummated on the April 15, 1997 effective date of the exemption.

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.

¹ Lac Qui Parle is a political subdivision of the State of Minnesota.

² BNSF currently provides common carrier rail service over 36.2 miles of Lac Qui's rail line pursuant to *Burlington Northern Railroad Company, Modified Rail Certificate*, Finance Docket No. 30323 (ICC served Nov. 7, 1983). Lac Qui will retain ownership of the .77 miles of track not purchased by BNSF, and BNSF will continue to operate over the .77-miles of line under various industrial track agreements. Pursuant to 49 CFR 1150.24, BNSF will provide 60 days' notice of its intent to terminate the service under the Modified Rail Certificate.

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

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33364, must be filed with the Office of the Secretary, Surface Transportation Board, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Michael E. Roper, Esq., The Burlington Northern and Santa Fe Railway Company, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102-5384.

Decided: April 8, 1997.

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

Vernon A. Williams

Secretary