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SERVICE DATE - MAY 26, 1999

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33742]

Dakota, Missouri Valley & Western Railroad, Inc.—Lease and Operation Exemption—Canadian Pacific Railway

Dakota, Missouri Valley & Western Railroad, Inc., a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to lease and operate approximately 58.41 miles of rail line from Canadian Pacific Railway between milepost 264.37, at Oakes, and milepost 205.96, at Hankinson, in Dickey, Sargent and Richland Counties, ND.

The transaction is scheduled to be consummated on or after the May 19, 1999 effective date of the exemption.

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 does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33742, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit,

STB Finance Docket No. 33742

1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kevin M. Sheys, Esq., Oppenheimer Wolff Donnelly & Bayh, LLP, 1350 Eye Street, N.W., Suite 200, Washington, DC 20005-3324.

Board decisions and notices are available on our website at “WWW.STB.DOT.GOV.”

Decided: May 19, 1999.

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

Vernon A. Williams

Secretary