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SERVICE DATE - SEPTEMBER 22, 1998

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FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33655]

Wisconsin Central Ltd.—Trackage Rights Exemption—Sault Ste. Marie Bridge Company and Fox Valley & Western Ltd.

Sault Ste. Marie Bridge Company (SSAM) and Fox Valley & Western Ltd. (FVW) have agreed to grant non-exclusive overhead trackage rights to Wisconsin Central Ltd. (WCL):¹ (1) over SSAM's line of railroad between milepost 92.1, at Powers, MI, and milepost 4, at Duck Creek, WI, including access to FVW's main line at Duck Creek (milepost 4), a distance of approximately 88.1 miles; and (2) over FVW's line of railroad between milepost 4, at Duck Creek, and milepost 1.4, at North Green Bay, WI, including access to WCL's pre-existing rights at North Green Bay, a distance of approximately 2.6 miles.

The purpose of the trackage rights is to provide more efficient service by WCL between its lines in the Upper Peninsula of Michigan and the Fox Valley Area of Wisconsin.

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

¹ SSAM is a Class III railroad. FVW and WCL are Class II railroads.

Wisconsin Central Ltd.--Acquisition Exemption--Lines of Union Pacific Railroad Company,
STB Finance Docket No. 33116 (STB served Apr. 17, 1997) (WCL Exemption).

The transaction was scheduled to be consummated on or after September 11, 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. 33655, 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.

² The notice to employees discussed in WCL Exemption and 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.

STB Finance Docket No. 33655

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Decided: September 15, 1998.

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

Vernon A. Williams

Secretary