

28170
SEC

SERVICE DATE - DECEMBER 24, 1997

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 33414

PENN-JERSEY RAIL LINES, INC.
—ACQUISITION AND OPERATION EXEMPTION—
WMI PROPERTIES, INC.

Decided: December 22, 1997

In a decision served December 8, 1997, the notice of exemption served and published in the Federal Register on June 24, 1997, 62 FR 34110, was modified on the motion of Penn-Jersey Rail Lines, Inc. (PENN), and petitioner Consolidated Rail Corporation (Conrail) was directed to inform the Board whether it seeks to withdraw its petition to stay and petition to revoke, filed August 5, 1997.¹ By letter filed December 15, 1997, Conrail withdrew its petition to revoke and petition for stay. Accordingly, the petitions will be dismissed and the proceeding discontinued.

It is ordered:

1. The petition to revoke and the petition to stay are dismissed, and the proceeding is discontinued.
2. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary

¹ Conrail alleged, among other things, that it owns a portion of the track that PENN was to acquire and operate. On October 23, 1997, following negotiations, PENN filed a reply to Conrail's petition to revoke seeking to amend the notice of exemption by moving the starting point of the line. In a letter filed November 6, 1997, Conrail stated it would withdraw its petitions upon publication of a corrected notice. Republication was deemed redundant because the newly described limits of the railroad line fall within the former description of the line as set forth in the notice of exemption.

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