

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 32760 (Sub-No. 45)

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

(Arbitration Review)

Decided: January 15, 2008

On January 11, 2008, Union Pacific Railroad Company (UP) filed a motion seeking an additional 30 days, to February 15, 2008, to file an appeal of the arbitration award issued in this proceeding on December 27, 2007. The appeal is currently due on January 16, 2008.

UP states that the proceeding arises out of a dispute with the Brotherhood of Locomotive Engineers & Trainmen (BLET) concerning UP's right to establish "interdivisional service" between Houston, TX, and several other Texas locations. According to UP, the dispute involves important and complex issues regarding the interplay between the 1986 BLET National Agreement and the Houston Hub Merger Implementing Agreement that was negotiated to implement the economies and efficiencies made possible, and the labor protections required, by the Board's merger approval in Union Pacific/Southern Pacific Merger, 1 S.T.B. 233 (1996) aff'd sub nom., Western Coal Traffic League v. STB, 169 F.3d 775 (D.C. Cir. 1999). UP claims that the recent holidays and other pressing business of its officials and counsel have left it with insufficient time to draft and complete the necessary appeal by January 16, 2008.

UP's motion will be granted. The requested extension will not unduly delay the processing of this proceeding.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. UP's motion for an extension of time to file an appeal to the arbitration award issued in this proceeding is granted.
2. UP's appeal of the arbitration award is due on or before February 15, 2008.

3. This decision is effective on the date of service.

By the Board, Anne K. Quinlan, Acting Secretary.

Anne K. Quinlan
Acting Secretary