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SERVICE DATE - MARCH 24, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33553]

Ventura County Transportation Commission--Acquisition Exemption--Southern Pacific
Transportation Company

Ventura County Transportation Commission (VCTC), a Class III carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire approximately 31.73 miles of rail line from Southern Pacific Transportation Company (SP) between milepost 435.07 and milepost 403.34 at Montalvo Station near Ventura, CA, where the line connects with the SP Coast Line (the Santa Paula Branch Line).¹

VCTC entered into an agreement with SP to purchase the line, and consummated the transaction on October 27, 1995, apparently without appropriate authority from the Board. Under the agreement, SP retained the right to continue to provide freight common carrier service over a portion of the line, but, according to VCTC, VCTC became a carrier at the time of the purchase in 1995. VCTC did not file its verified notice of exemption, as amended, with the Board until February 27, 1998. VCTC has acknowledged that the effective date of the exemption was March 6, 1998 (7 days after the amended notice of exemption was filed).

¹ This notice of exemption amends and supersedes the earlier notice of exemption that VCTC had filed, pursuant to 49 CFR 1150.31, on February 10, 1998.

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 will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33553, 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: Charles A. Spitulnik, Hopkins & Sutter, 888 Sixteenth Street, N.W., Washington, DC 20006.

Decided: March 17, 1998.

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

Vernon A. Williams

Secretary