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SERVICE DATE - FEBRUARY 5, 1999

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FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33686]

Dallas, Garland & Northeastern Railroad, Inc.—Lease Exemption—Union Pacific Railroad Company

Dallas, Garland & Northeastern Railroad, Inc. (DGNO), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to lease from Union Pacific Railroad Company (UP) approximately 54.74 miles of rail lines located in the State of Texas:¹ (i) between milepost 741.3, at Carrollton, and milepost 729.5, at Lake Dallas; (ii) between milepost 285.1, near Spring Creek Parkway, and milepost 324.84, at South Sherman Junction; and (iii) the industrial lead between UP's Mockingbird Yard and the Brookhollow Industrial Park, in Dallas.

In conjunction with the lease of these rail lines, DGNO will acquire approximately 117.76 miles of incidental trackage rights over rail lines located in the State of Texas as follows: (1) local trackage rights over rail lines owned by Dallas Area Rapid Transit: (a) between milepost 758.04, at Dallas, and milepost 741.3, at Carrollton; (b) between milepost 603.5, at Carrollton, and milepost 580.19, at Wylie; and (c) between milepost 281.1, at Plano, and milepost 285.1, at Spring Creek Parkway; (2) overhead trackage rights over a rail line owned by The Burlington Northern and Santa Fe Railway Company (BNSF)

¹ DGNO will be the operator of the property.

between BNSF milepost 646.39, at Sherman, and BNSF milepost 711.0, at Irving; and (3) overhead trackage rights over a rail line owned by RAILTRAN between milepost 634.7, at Irving, and milepost 643.8, at North Junction.

Because the projected revenues of the rail lines to be operated will exceed \$5 million, DGNO certified to the Board, on December 1, 1998, that the required notice of its rail line acquisition was sent to the national offices of all labor unions representing employees on the lines and was posted at the workplace of the employees on the affected lines on December 1, 1998. See 49 CFR 1150.42(e). The transaction is expected to be consummated on January 30, 1999.

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. 33686, 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 Karl Morell, Esq., BALL JANIK LLP, 1455 F Street, N.W., Suite 225, Washington, DC 20005.

STB Finance Docket No. 33686

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Decided: January 29, 1999.

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

Vernon A. Williams

Secretary