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SERVICE DATE - LATE RELEASE NOVEMBER 4, 1996

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 331601

Falls Road Railroad Co., Inc.--Acquisition and Operation Exemption--Consolidated Rail Corporation

Falls Road Railroad Co., Inc. (FRRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate the line of railroad now owned and operated by Consolidated Rail Corporation (Conrail) known as the Falls Road Secondary Track, extending from milepost 58.29+, at Lockport, to milepost 16.60+, at Brockport, in Niagara, Orleans, and Monroe Counties, NY, a total of 41.69 route miles. In addition, FRRR will acquire operating easements only between milepost 16.60+ and 16.92+ (owned by, or to be conveyed by Conrail to, Monroe County) and between milepost 45.01+ and 45.53+ (owned by, or to be conveyed by Conrail to, the adjoining landowner).

Operations were expected to commence on or after October 24, 1996.

This transaction is related to S.B. Finance Docket No. 33161, David Monte Verde, Michael Thomas, Charles Riedmiller, Jeffrey Baxter and John Herbrand and Genesee Valley Transportation Co. Inc.--Continuance in Control Exemption--Falls Road Railroad Co., Inc., wherein the named individuals and Genesee Valley Transportation Co., Inc., have concurrently filed a verified notice to continue in control of FRRR, upon its becoming a Class III rail carrier.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to reopen the proceeding 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 STE Finance Docket No. 33160, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW, Washington, DC 20423. In addition, a copy of each pleading must be served on Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

Decided: October 25, 1996.

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

Vernon A. Williams
Secretary