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32760

(Sub 24)

10-2-97

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182309

CHARLES L. LITTLE
International President

BYRON A. BOYD, JR.
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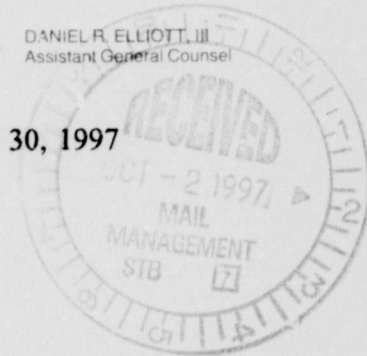
DANIEL R. ELLIOTT, III
Assistant General Counsel

182309

Office of the Secretary

September 30, 1997

OCT 02 1997



Surface Transportation Board Part of Public Record
Department of Transportation
Washington, D.C. 20423

Re: Finance Docket No. 32760 (Sub-No. 24)
The Burlington Northern and Santa Fe Railway Company -- Trackage Rights
Exemption -- Union Pacific Railroad Company and Southern Pacific
Transportation Company

Gentlemen:

This will have reference to the above-captioned application presently before the Surface Transportation Board. The United Transportation Union (UTU) wishes to register its protest to this application. We submit that this Board does not have the authority under Section 10505(g) of the Interstate Commerce Act to exempt any rail carrier from the requirements of Section 11326 of the Interstate Commerce Act. Therefore, we respectfully submit that this Board must condition any such exemption by requiring applicant to provide those conditions mandated by Section 11326 of the Interstate Commerce Act in order to protect employees who may be affected by the proposed transaction.

The UTU respectfully informs this Board that it intends to participate in whatever proceeding this Board may institute to consider the proposed request for exemption filed by the applicant herein. A copy of this letter has been served upon applicant.

I would greatly appreciate your placing the undersigned, in addition to the following named individuals, on the mailing list to receive copies of Notices and/or Orders and copies of any pertinent material issued in connection with these application.

C. L. Little, President
United Transportation Union
14600 Detroit Ave.
Cleveland, OH 44107

J. M. Brunkenhoefer
National Legislative Director, UTU
400 N. Capitol Ave., N.W., Ste. 856
Washington, D.C. 20001

S. J. Arrington
State Legislative Director, UTU
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Austin, TX 78701-3263

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B. F. Manning, Associate General Chairperson, UTU
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Smithville, TX 78957-0561

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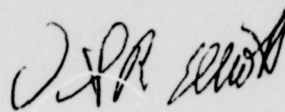
W. F. Simmons, Jr.
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J. D. Martin
General Chairperson, UTU
5001 Southbrook
Ft. Worth, TX 76114

Very truly yours,

A handwritten signature in dark ink, appearing to read "DRE Elliott", written in a cursive style.

Daniel R. Elliott, III
Assistant General Counsel

cc: J. M. Brunkenhoefer, National Legislative Director
Clinton J. Miller, III, General Counsel
Service List

CERTIFICATE OF SERVICE

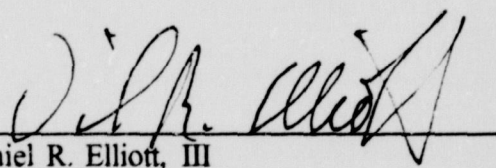
This is to certify that a copy of the foregoing United Transportation Union's September 30, 1997, protest letter was served this 30th day of September, 1997, via first-class mail, postage pre-paid, upon the following:

James V. Dolan
Union Pacific Railroad Company
Southern Pacific Transportation Company
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Omaha, NE 68179

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Daniel R. Elliott, III