

SURFACE TRANSPORTATION BOARD ANNOUNCES ACCEPTANCE OF "CANADIAN PACIFIC-DAKOTA, MINNESOTA & EASTERN RAILROAD" RAILROAD MERGER APPLICATION, ISSUES PROCEDURAL SCHEDULE

The Surface Transportation Board announced today that it has accepted for consideration the Canadian Pacific Railway Corporation and its subsidiaries' (CPRC) application to control the Dakota, Minnesota & Eastern Railroad Corporation (DM&E) and its subsidiary, and additionally found the proposed transaction to be "significant" under the Board's rules. The Board has adopted a procedural schedule that would include the filing of the notices of intent to participate on January 25, 2008, and the issuance of a final decision on September 30, 2008, to become effective one month later, on October 30, 2008. A copy of the Board's schedule is attached.

The Board accepted the application today in its "[Decision No. 4 in the case entitled Canadian Pacific Railway Company, et al.—Control—Dakota, Minnesota & Eastern Railroad Corp., et al., STB Finance Docket No. 35081](#)", which will be published in the *Federal Register* and is available for viewing and downloading on the agency's Web site at <http://www.stb.dot.gov> under "E-Library," then under "Decisions & Notices," beneath the date "12/27/07." Printed copies of the decision also are available for a fee by contacting **ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706, telephone (202) 306-4004, or via asapdc@verizon.net.**

ATTACHMENT

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Attachment

Procedural Schedule in

**CANADIAN PACIFIC RAILROAD COMPANY, et al.—CONTROL—
DAKOTA, MINNESOTA & EASTERN RAILROAD CORP., et al.**

STB Finance Docket No. 35081

September 10, 2007: Motion for Protective Order filed.

September 21, 2007: Protective Order issued.

October 5, 2007: Prefiling notification and Motion to Establish Procedural Schedule filed.

November 8, 2007: Notice of receipt of prefiling notification published in the *Federal Register*.

November 29, 2007: Proposed procedural schedule published in the *Federal Register*.

December 5, 2007: Application filed.

January 4, 2008: Board notice of acceptance of application to be published in the

January 25, 2008: Notices of intent to participate in this proceeding due. Descriptions of anticipated responsive applications (including inconsistent applications) due. Petitions for waiver or clarification with respect to such applications due.

February 4, 2008: Proposed Safety Integration Plan to be filed with the Board's Section of Environmental Analysis (SEA) and the Federal Railroad Administration. Environmental comments due, addressed to the attention of SEA.

March 4, 2008: All responsive applications, requests for conditions, and any other evidence and argument in opposition to the application, including filings of U.S. Dept. of Justice (DOJ) and U.S. Dept. of Transportation, (DOT) due.

April 18, 2008: Replies to responsive applications, requests for conditions, and other opposition due. Rebuttal in support of the application due. Response of DOJ and DOT to other parties' comments due.

April 25, 2008: Applicants' response to responsive comments of DOJ and DOT due.

May 19, 2008: Rebuttals to responsive applications, requests for conditions, and other opposition due.

To be determined: A public hearing or oral argument may be held.

July 2, 2008: Final briefs, if any, due.

September 30, 2008: Date of service of final decision.

October 30, 2008: Effective date of final decision.

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