

Surface Transportation Board Announces Cases To Be Addressed in January 30 Voting Conference; Provides Instructions for Public & Media Attendance

Surface Transportation Board (Board) Chairman Roger Nober today announced the cases in which the Board will vote in public during its **January 30, 2003** open voting conference. The Board also is providing instructions for public and media attendance.

As publicly announced on January 14, 2003 (see Surface Transportation "News" release 03-2), the conference will begin at **10:00 a.m. EST on Thursday, January 30, in Room 760**, the Board's hearing room, **on the 7th Floor** at the agency's headquarters in the **Mercury Building, 1925 K Street, N.W.** (on the northeast corner of the intersection of 20th and K Sts.), **Washington, D.C.** While the public is invited to attend the voting conference, no public participation will be allowed.

THE CONFERENCE ITEMS ARE:

- STB Finance Docket No. 34178, *Dakota, Minnesota & Eastern Railroad Corporation and Cedar American Rail Holdings, Inc.--Control --Iowa, Chicago & Eastern Railroad Corporation*. The Board will vote to approve or deny the "Dakota, Minnesota & Eastern Railroad's" proposal to control the "Iowa, Chicago & Eastern Railroad," and two related filings.
- Finance Docket No. 33697, *National Railroad Passenger Corporation--Petition for Declaratory Order--Weight of Rail*. At issue is a request by the National Railroad Passenger Corporation (Amtrak) that the Board determine that Amtrak has rehabilitated a 78-mile line of railroad track between Plaistow, New Hampshire, and Portland, Maine, owned by the "Guilford Rail System" according to the terms of a 1999 Board decision.
- STB Finance Docket No. 33995, *SF&L Railway, Inc.--Acquisition and Operation Exemption--Toledo, Peoria and Western Railway Corporation Between La Harpe and Peoria, IL*, and STB Finance Docket No. 33996, *Kern W. Schumacher and Morris H. Kulmer--Continuance in Control Exemption--SF&L Railway, Inc.*, and STB Docket No. AB-448 (Sub-No. 2X), *SF&L Railway, Inc.--Abandonment Exemption--in Hancock, McDonough, Fulton and Peoria Counties, IL*. At issue is an SF&L Railway, Inc. (SF&L) petition asking the Board to reopen and reconsider its October 2002 decision revoking various exemptions from regulation concerning SF&L's acquisition of an approximately 72-mile portion of railroad line (the "La Harpe Line") from the "Toledo, Peoria and Western Railway" (TP&W), and ordering the reconveyance to TP&W of SF&L's interest in the La Harpe Line.
- STB Docket No. AB-565 (Sub-No. 11X), *New York Central Lines, LLC--Abandonment--Exemption--in Lake County, OH*, and STB Docket No. AB-55 (Sub-No. 617X), *CSX Transportation, Inc.--Discontinuance of Service Exemption--In Lake County, OH*. At issue is a "New York Central Lines" (NYC) and "CSX Transportation" (CSX) petition seeking an exemption from the Board's prior-approval regulations allowing NYC to abandon, and CSX to discontinue service over, an approximately three-mile section of track in Lake County, Ohio.
- STB Finance Docket No. 34114, *Yolo Shortline Railroad Company--Lease and Operation Exemption--Port of Sacramento*. At issue is a "Union Pacific Railroad" (UP) petition asking the Board to reject the notice of exemption from agency regulation to lease and operate approximately 3.1 miles of rail line in West Sacramento, California, or to revoke the exemption authority that became effective as a result of that notice. The notice of exemption at issue was filed with the Board in 2001 by the "Yolo Shortline Railroad."
- STB Finance Docket No. 34304, *The Burlington Northern and Santa Fe Railway Company--Trackage Rights Exemption--The Portland & Western Railroad, Inc.* At issue is a notice of exemption concerning trackage rights (the use of a railroad's track, for a rental fee, by another railroad). The "Burlington Northern and Santa Fe Railway" (BNSF) filed a motion for the Board to dismiss a notice of exemption from agency regulation filed by BNSF allowing BNSF to obtain "overhead" trackage rights to operate over a portion of a line that BNSF owns, but now operationally leases, to the "Portland & Western Railroad." BNSF asserts that the Board's separate authorization of the trackage rights at issue is

unnecessary.

- Ex Parte No. 282 (Sub-No. 20), *Railroad Consolidation Procedures: Class Exemption for Temporary Trackage Rights Transactions*. At issue is a Board proposal to establish a new class exemption that railroads could use to obtain limited-term authorization of trackage-rights arrangements that, by their terms, expire on a certain date. The current class exemption for trackage-rights arrangements between railroads gives railroads authorization that extends indefinitely until Board authority is obtained to terminate operations.

INSTRUCTIONS FOR PUBLIC AND MEDIA ATTENDANCE:

- There will be no reserved seating. Given the following procedures, please plan to arrive early enough to be seated no later than **9:45 a.m.**
- So that other Mercury Building tenants and visitors will not be impeded, please **enter via the Board's 20th Street, west-side entrance, approximately midway between K and L Streets** (at the tall, sidewalk flagpoles). **All visitors must be cleared through security in the Board's Suite 100** (immediately above the 20th-Street entrance, on the Mercury Building's 1st Floor) **prior to being escorted to the hearing room.**
- For security reasons, be prepared to produce photo identification (such as a driver's license), pass through a metal detector, and submit to an inspection of all briefcases, handbags, etc.
- Quiet laptops and tape recorders may be brought into the hearing room, but absolutely no provision will be made for the connection of personal computers to Board telephone lines.
- Cellular telephone use is not permitted in the hearing room, or in the rear anteroom. Cellular phones may only be used outside the hearing room.
- The Board's hearing room complies with the Americans With Disabilities Act, and persons needing such accommodation should contact **Beverly Ledbetter, in the Board's Section of Facilities Management, at (202) 565-1709, by the close of business on Wednesday, January 29, 2003.**

Following the conclusion of the voting conference, a summary news release will be issued and posted under "News and Speeches" on the Board's Website at <http://www.stb.dot.gov>.

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