

**SURFACE TRANSPORTATION BOARD ISSUES PROCEDURAL DECISION ON
PROPOSED CANADIAN PACIFIC & DAKOTA, MINNESOTA & EASTERN RAIL MERGER**

The Surface Transportation Board (Board) today issued a decision determining that the Canadian Pacific Railway's (CP) proposed acquisition of the Dakota, Minnesota and Eastern Railroad (DM&E) would be a "significant" transaction under the Board's rules, rather than a "minor" one as the applicant railroads had urged. According to the statute, a merger of this type is reviewed within 10 months after the application is filed.

In today's decision, the Board said it will consider the October 5, 2007 submission by CP and DM&E to be their "prefiling notification." CP and DM&E may complete their application once the minimum two-month prefiling notification period ends on December 5, 2007. In the meantime, the Board directed CP and DM&E to submit a procedural schedule, which will be made available for public comment.

The Board's [decision in Canadian Pacific Railway Co., et al.—Control—Dakota, Minnesota & Eastern Railroad Corporation et al., STB Finance Docket No. 35081](#), 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 "11/02/07." Printed copies of the Board 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**.

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