

line constituting the north leg of the wye track connecting the Toledo Branch and the UP Main Line near milepost 691.35, in Oregon.

The transaction was scheduled to be consummated on or after July 2, 2003.

The purpose of the trackage rights is to allow improved access to the Oregon Electric Line that PNWR is leasing from BNSF, and to provide for more fluid yard and interchange operations among WPRR, PNWR, and other carriers.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*,

354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions 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 STB Finance Docket No. 34367 must be filed with the Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423–0001. In addition, one copy of each

pleading must be served on Eric M. Hockey, Four Penn Center Plaza, 1600 John F. Kennedy Blvd., Suite 200, Philadelphia, PA 19103–2808.

Board decisions and notices are available on our Web site at “<http://www.stb.dot.gov>.”

Dated: Decided: July 2, 2003.

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

Vernon A. Williams,

Secretary.

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