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SEC

SERVICE DATE - LATE RELEASE JULY 15, 2004

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-838

EAST ST. LOUIS JUNCTION RAILROAD COMPANY –  
ADVERSE ABANDONMENT – IN ST. CLAIR COUNTY, IL

STB Docket No. AB-33 (Sub-No. 199)

UNION PACIFIC RAILROAD COMPANY –  
ADVERSE DISCONTINUANCE – IN ST. CLAIR COUNTY, IL

Decided: July 15, 2004

On August 20, 2003, the Illinois Department of Transportation (IDOT) filed an application under 49 U.S.C. 10903 seeking: (1) the adverse abandonment of the East St. Louis Junction Railroad Company's (ESLJ) rail line in East St. Louis, IL, and (2) the adverse discontinuance of Union Pacific Railroad Company's (UP) service over ESLJ's line. Notice of the application was served and published in the Federal Register on September 9, 2003 (68 FR 53216-17). Consistent with 49 CFR 1152.26, the notice provided that protests or written comments must be filed with the Board no later than October 6, 2003.

In decisions served October 1, 2003, November 5, 2003, December 23, 2003, March 2, 2004, and May 13, 2004, the parties have been granted extensions of time (until November 5, 2003, January 5, 2004, March 5, 2004, May 4, 2004, and July 2, 2004, respectively) to file written comments or protests in this proceeding. UP has filed a letter requesting that the due date for written comments or protests in this proceeding be extended until September 30, 2004. UP states that negotiations concerning an alternative rail service proposal are continuing among IDOT and other parties involved in the highway relocation and construction project that is related to the adverse abandonment and discontinuance application. According to UP, the sought extension would further facilitate these multi-party negotiations, which, if successfully completed, would permit UP not to oppose IDOT's application. UP states that it has contacted counsel for IDOT concerning this extension request, and reports that IDOT does not object to the extension.

Particularly in light of the alternative service proposal that the parties are considering, UP's request is reasonable and consistent with the Board's preference for private-sector negotiation and resolution of disputes. Therefore, the request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The deadline for submission of protests or written comments responsive to IDOT's abandonment and discontinuance of service application is extended until September 30, 2004.
2. The due date for IDOT's reply to opposition to its application is extended, accordingly, to October 15, 2004.
3. This decision is effective on the date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary