

Issued at Washington, DC, on March 7, 2005.

Albert S. Jacquez,  
Administrator.

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BILLING CODE 4910-61-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34625]<sup>1</sup>

#### R.J. Corman Railroad Property, LLC— Lease Exemption—Line of CSX Transportation, Inc.

R.J. Corman Railroad Property, LLC (Railroad Property),<sup>2</sup> a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire by lease a line of railroad of CSX Transportation, Inc. (CSXT), in Louisville, KY, known as the Water Street Lead, extending from the southeast edge of the Mellwood Avenue crossing of the Water Street Lead at or near milepost OTR 4.74 (also known as milepost OOT 1.8) on CSXT's Louisville Terminal Subdivision to the end of track north of River Road, a total distance of approximately 2.4 miles, along with associated industry leads and switch tracks. Railroad Property will also acquire incidental overhead trackage rights between Louisville and Anchorage, KY, on CSXT's LCL Subdivision between the Water Street Lead and milepost 12.49 at HK Tower in Anchorage, a distance of approximately 10.75 miles (the Anchorage Trackage Rights),<sup>3</sup> to allow connection with another Railroad Property line.<sup>4</sup>

<sup>1</sup> Under the Board's regulations at 49 CFR 1150.42(b), publication in the *Federal Register* of this notice of exemption should have taken place within 30 days of its filing (February 25, 2005). Through inadvertence, however, publication did not occur within that 30-day timeframe. The exemption was, however, effective February 2, 2005—7 days after the notice was filed.

<sup>2</sup> Railroad Property is a member of the R.J. Corman family of nine Class III railroads. Railroad Property was formerly known as R.J. Corman Equipment Company, LLC. The name of that entity was formally changed to R.J. Corman Railroad Property, LLC, and its non-rail assets were transferred to a new noncarrier entity named R.J. Corman Equipment Company. As a result, the new "Equipment Company" does not own any railroad assets, and Railroad Property holds the railroad assets and bears the residual common carrier obligations of the "old" R.J. Corman Equipment Company, LLC.

<sup>3</sup> According to Railroad Property, it has reached a tentative agreement with CSXT providing for Railroad Property's lease of the Water Street Lead and acquisition of the Anchorage Trackage Rights, and it anticipated that a final agreement would be executed on or before February 5, 2005.

<sup>4</sup> CSXT will also grant Railroad Property operating rights between the Water Street Lead and

This transaction is related to STB Finance Docket No. 34624, *R.J. Corman Railroad Company/Central Kentucky Lines, LLC—Acquisition and Operation Exemption—Lines of R.J. Corman Railroad Property, LLC*, wherein R.J. Corman Railroad Company/Central Kentucky Lines, LLC (RJCC), Railroad Property's corporate affiliate, seeks to sublease from Railroad Property and operate the Water Street Lead and the Anchorage Trackage Rights.

Railroad Property certifies that its projected revenues as a result of this transaction will not result in it becoming a Class II or Class I rail carrier. But, because Railroad Property's projected annual revenues will exceed \$5 million, it certified to the Board on December 7, 2004, that, prior to that date, it sent the required notice of the transaction to the national offices of all labor unions representing employees on the affected lines and posted a copy of the notice at the workplace of the employees on the affected lines. *See* 49 CFR 1150.42(e).

Railroad Property stated that it intended to consummate the transaction on February 5, 2005, and RJCC would commence operations on February 7, 2005.

If the notice 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. 34625, 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 Ronald A. Lane, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

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

Decided: February 15, 2005.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 05-4573 Filed 3-9-05; 8:45 am]

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CSXT's Osborne Yard in Louisville for purposes of effectuating interchange.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34655]

#### Georgia & Florida RailNet, Inc.— Acquisition and Operation Exemption—Georgia Department of Transportation

Georgia & Florida RailNet, Inc. (GFRR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and to operate as a rail common carrier over a permanent irrevocable rail easement on property to be acquired by the Georgia Department of Transportation (GDOT) from the City of Willacoochee, GA. The subject track extends from Nashville, GA, at milepost 57.2, to Willacoochee, GA, at milepost 73.8, a distance of 16.6 miles. GFRR states that it has been operating over the track as exempt industrial trackage since it first acquired its lines of railroad in 1999.

GFRR indicates that the parties contemplate consummating the instant transaction on or before April 8, 2005. GFRR certifies that its projected revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier.<sup>1</sup>

If the verified notice 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. 34655, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on: John D. Heffner, 1920 N Street, NW., Suite 800, Washington DC 20036.

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

Decided: March 2, 2005.

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

**Vernon A. Williams,**  
*Secretary.*

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<sup>1</sup> GFRR also stated that its projected annual revenues following the transaction will exceed \$5 million, but it requested waiver of the 60-day advance labor notice requirements at 49 CFR 1140.42(e). That request is being addressed by the Board in a separate decision. The Board's decision on the request will affect the effective date of the exemption and hence the date on which the transaction could be consummated.