Naomi Sipple, 
Reports Clearance Officer, Social Security Administration.

SURFACE TRANSPORTATION BOARD
[Docket No. FD 36229]

Union Pacific Railroad Company—Trackage Rights Exemption—West Memphis Base Railroad, L.L.C.

Union Pacific Railroad Company (UP) has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for exemption of overhead and local trackage rights over a rail line controlled by West Memphis Base Railroad, L.L.C. (WMBR) between milepost 355.539 and milepost 353.281 at West Memphis, Ark. (the Line), a total distance of approximately 2.25 miles.

UP states that the trackage rights agreement between it and WMBR will allow UP to continue serving customers on the Line in the same manner as before WMBR acquired rights over the Line. According to UP, following the sale of the Line by UP’s predecessor, Missouri Pacific Railroad Company (Missouri Pacific) to the City of West Memphis, Ark., Missouri Pacific, and later UP, operated over the Line pursuant to an operating agreement between Missouri Pacific and the City of West Memphis.1

The transaction may be consummated on or after March 1, 2019, the effective date of the exemption (30 days after the verified notice of exemption was filed).

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in Norfolk & Western Railroad—Trackage Rights—Burlington Northern, Inc., 354 I.C.C. 605 (1978), as modified in Mendocino Coast Railroad—Lease & Operate—California Western Railroad, 360 I.C.C. 653 (1980).

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 effectiveness of the exemption. Petitions to stay must be filed by February 22, 2019 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36229, must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Jeremy Berman, Union Pacific Railroad Company, 1400 Douglas Street, Stop 1580, Omaha, NE 68179.

Board decisions and notices are available at www.stb.gov.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Tammy Lowery,
Clearance Clerk.

SURFACE TRANSPORTATION BOARD
[Docket No. FD 36264]

R.J. Corman Railroad Company/ Western Ohio Line—Renewal of Lease Exemption With Interchange Commitment—Norfolk Southern Railway Company

R.J. Corman Railroad Company/ Western Ohio Line (RJCW), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to renew its lease of a rail line owned by Norfolk Southern Railway Company (NSR), located in the State of Ohio (the Line). The Line, known as the St. Mary’s Line, extends from milepost SP 120.0 at St. Mary’s, Auglaize County, to milepost SP 136.3 near the Ohio-Indiana border, Mercer County, a total distance of 16.3 miles.

RJCW and NSR previously executed a lease agreement regarding the Line in 1993.1 RJCW states that the new lease agreement, dated November 12, 2018, has an initial ten-year term that may be extended by mutual agreement of the parties.

RJCW certifies that its projected annual revenues from this transaction will not result in its becoming a Class I or Class II rail carrier and will not exceed $5 million. As required under 49 CFR 1150.43(h)(1), RJCW has disclosed in its verified notice that its new lease agreement with NSR contains an interchange commitment that charges RJCW an interchange charge for carloads that originate or terminate on the Line that are not interchanged to NSR.2 RJCW has provided additional information regarding the interchange commitment as required by 49 CFR 1150.43(h).

RJCW states in its verified notice that it intends to consummate the proposed lease renewal on or shortly after March 2, 2019, the effective date of this exemption.

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 effectiveness of the exemption. Petitions to stay must be filed no later than February 22, 2019.

An original and 10 copies of all pleadings, referring to Docket No. FD 36264, must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on RJCW’s representative, Catherine S. Wright, Irvin Rigsby PLC, 110 N Main Street, Nicholasville, KY 40356.

According to RJCW, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting under 49 CFR 1105.8(b).

Board decisions and notices are available at www.stb.gov.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Jeffrey Herzig,
Clearance Clerk.

Notes:
