The earliest this transaction may be consummated is November 20, 2020, the
effective date of the exemption.

Applicants seek to continue in control of
RJLR, RJLS, and RJOH upon their
becoming Class III rail carriers, while
remaining in control of 15 other Class III
rail carriers, including two non-
operating rail carriers, collectively
operating in 11 states. For a complete
list of these rail carriers, see the verified
notice of exemption filed in this docket.
The notice is available at www.stb.gov.

The verified notice states that: (1)
RJLR, RJLS, and RJOH, and the railroads
under RJCR’s (and therefore
Applicants’) ownership and control,
would not connect with each other or
any other railroad in the corporate
family; (2) the continuance in control is
not part of a series of anticipated
transactions that would connect the
railroads with each other or any railroad
in their corporate family; and (3) the
transaction does not involve a Class I
rail carrier. The proposed transaction is,
therefore, exempt from the prior
approval requirements of 49 U.S.C.
11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board
may not use its exemption authority to
relinquish a rail carrier of its statutory
obligation to protect the interests of its
employees. However, 49 U.S.C. 11326(c)
does not provide for labor protection for
transactions under 49 U.S.C. 11324 and
11325 that involve only Class III rail
 carriers. Because this transaction
involves Class III rail carriers only, the
Board, under the statute, may not
impose labor protective conditions for
this transaction.

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. 110502(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 November 13, 2020
(at least seven days before the
exemption becomes effective).

All pleadings, referring to Docket No.
FD 36431, should be filed with the
Surface Transportation Board via e-
mailing on the Board’s website. In
addition, a copy of each pleading must
be served on Applicants’ representative,
David R. Irvin, Irvin Rigby PLC, 110
North Main Street, Nicholasville, KY
40356.

According to the verified notice, this
action is categorically excluded from
environmental review under 49 CFR
1105.8(b)(1) and from historic preservation
reporting requirements under 49 CFR
1105.8(b)(1).

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


By the Board, Allison C. Davis, Director,
Office of Proceedings.

Brendetta Jones,
Clearance Clerk.

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SURFACE TRANSPORTATION BOARD

[Docket No. FD 36428]

R. J. Corman Railroad Company/Lehigh Line, LLC—Change in
Operators, Lease and Operation
Exemption With Interchange
Commitment—Lehigh Railway, LLC
and Norfolk Southern Railway
Company

R. J. Corman Railroad Company/Lehigh Line, LLC (RJLR), a noncarrier,
have filed a verified notice of exemption pursuant to 49 CFR 1150.31 to change
operators and assume the lease and
operation of approximately 56.0 miles of rail line between milepost IS 269.5 at
Athens, Pa., and milepost IS 213.5 at
Mehoopeny, Pa., and related industrial
track, located in Bradford and Wyoming
Counties, Pa. (the Line). The Line is
currently operated by Lehigh
Railway, LLC (LR), pursuant to a lease with
Norfolk Southern Railway Company
(NSR).

According to RJLR, this transaction is
part of a larger transaction in which
noncarrier holding company R. J.
Corman Railroad Company, LLC (RJCR),
through RJLR and two other newly
formed noncarrier subsidiaries, has
entered into an agreement to purchase
the material assets of LR and two other
rail carriers under the ownership and
control of Stephen C. May and operate
those respective rail lines. Accordingly,
this transaction is related to a
concurrently filed verified notice of
exemption in R. J. Corman Railroad
Company, LLC & R. J. Corman Railroad
Group, LLC—Continuance in Control
Exemption—R. J. Corman Railroad
Company/Owego & Harford Line, Inc., and R. J. Corman
Railroad Company/Luzerne &
Susquehanna Line, LLC, Docket No. FD
36431, in which RJCR and RJRG seek
to continue in control of RJLR and the
other two newly formed subsidiaries