

OCT 18 1955

455-523

The Director of Wage and Service Records

The General Counsel

Bay Terminal Railroad Company

The above-mentioned company, by reason of being a carrier by railroad subject to part I of the Interstate Commerce Act, has been an employer within the meaning of the Railroad Retirement Act and the Railroad Unemployment Insurance Act. Its name appears in the Employer Status List under Item No. 491 with the period of creditable service shown as March 15, 1895 to date.

In a certificate dated May 13, 1955 and effective thirty days from that date the Interstate Commerce Commission authorized the abandonment as to interstate and foreign commerce by the Bay Terminal Railroad Company of its entire line of railroad. Bay Terminal Railroad Company Abandonment, Finance Docket No. 18879, ICC.

In a letter dated October 12, 1955 Mr. J. J. Martin, Secretary and Treasurer of the Bay Terminal Railroad Company, states that the company ceased all rail operations on July 31, 1955; that its tariffs were cancelled in August 1955 and that its concurrences and powers of attorney were revoked as of September 1, 1955; that it last had compensated employees in September 1955; that all road and equipment property has been disposed of; that the company has been dissolved, and that its report to the Board for the quarter ended September 30, 1955 will be its final report.

In a letter of the same date to your office (copy submitted by you) he submitted forms BA-3 and BA-5 for the quarter ended September 30, 1955 which he states are final reports.

On the basis of the foregoing I conclude that on October 1, 1955 the Bay Terminal Railroad Company ceased to be an employer within the meaning of the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

Appropriate Form Q-341 will be released giving effect to the foregoing conclusion.

Nyles F. Gibbons
General Counsel