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SEC

SERVICE DATE - NOVEMBER 12, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-459 (Sub-No. 2X)

CENTRAL RAILROAD COMPANY OF INDIANA--ABANDONMENT EXEMPTION--
IN DEARBORN, DECATUR, FRANKLIN, RIPLEY, AND SHELBY COUNTIES, IN

Decided: November 6, 1998

In a decision served May 4, 1998, in this proceeding, the Board denied a petition by Central Railroad Company of Indiana (CIND) under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a line of railroad known as the Shelbyville Line in Indiana.¹ On May 22, 1998, CIND filed a petition to reopen the proceeding. On June 11, 1998, certain government entities and shippers that had opposed the abandonment exemption replied jointly to the petition to reopen.

Shortly thereafter, on June 26, 1998, the Board served a decision granting noncarrier RailTex, Inc. (RailTex) an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 11323-25 for the acquisition of control of CIND and its affiliate, The Central Railroad Company of Indianapolis, through the purchase of all of the stock of their noncarrier parent holding company, Central Properties, Inc.² In light of representations RailTex made in the acquisition exemption proceeding, the Board deferred action on CIND's petition for reopening pending further notification from RailTex or CIND.

By a letter filed November 3, 1998, CIND has informed the Board that it has decided to reopen the Shelbyville Line.³ Accordingly, CIND requests withdrawal of its petition to reopen the abandonment exemption proceeding. The request will be granted.

¹ The Shelbyville Line extends from approximately milepost 23.0, near Thatcher station and the town of Greendale, to approximately milepost 81.0, near Shelbyville, a distance of approximately 58 miles in Dearborn, Decatur, Franklin, Ripley, and Shelby Counties, IN.

² RailTex, Inc.--Control Exemption--Central Properties, Inc., The Central Railroad Company of Indianapolis, and The Central Railroad Company of Indiana, STB Finance Docket No. 33585 (STB served June 26, 1998).

³ The line has been closed pursuant to an embargo since early 1997.

It is ordered:

1. CIND is granted permission to withdraw its petition to reopen filed May 22, 1998.
2. This proceeding is discontinued.
3. This decision is effective on its service date.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary