

BEFORE THE
SURFACE TRANSPORTATION BOARD

237953

STB Finance Docket No. 35910

ENTERED
Office of Proceedings
March 16, 2015
Part of
Public Record

INDIANA HARBOR BELT RAILROAD COMPANY
-- LEASE AND OPERATION EXEMPTION --
RAIL LINES OF NORFOLK SOUTHERN RAILWAY COMPANY IN THE CITY OF
CHICAGO, ILLINOIS, IN COOK
COUNTY, IL

VERIFIED NOTICE OF EXEMPTION PURSUANT TO 49 CFR 1150.41

Pursuant to 49 U.S.C. 10502 and 49 CFR 1150.41, et seq., Indiana Harbor Belt Railroad Company ("IHB") hereby provides notice of its class exemption from the formal requirements of 49 USC 10902 to lease and operate a rail line owned by the Norfolk Southern Railway Company's ("NSR") that extends between milepost UO 0.03 and UO 0.9, commonly known as the "Old Hammond Industrial Track" a distance of 0.87 miles in Cook County, Illinois.

IHB has entered into a exclusive lease arrangement for the track to enable IHB to provide alternate service to more than ten (10) customers currently in the industrial corridor served by the track and to promote efficient rail operations in the area. In support of this Notice of Exemption, IHB submits the following information as required by 49 CFR 1150.43:

(a) Full name and address of applicant:

Indiana Harbor Belt Railroad Company
2721 161st Street
Hammond, IN 46323

(b) Applicant's Representatives:

Roger A. Serpe
General Counsel
Indiana Harbor Belt Railroad Company
55 W. Monroe Street, Suite 1600
Chicago, IL 60603
Phone: (312) 827-2680
Facsimile: (312) 827-2682
E-mail: roger.serpe@ihbrr.com

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(c) Statement that an agreement has been reached or details about when an agreement will be reached:

Indiana Harbor Belt Railroad Company ("IHB"), a Class III rail carrier, has entered into a exclusive lease agreement (the "Lease") with Norfolk Southern Railway Company ("NSR"), a Class I rail carrier. Pursuant to the Lease, IHB will conduct certain rail operations over certain NSR-owned property in Cook County, Illinois, commonly known as the "Old Hammond Industrial Track".

(d) Operator of the property:

The line is owned by the NSR but is currently not in use. IHB will operate the Line after the transaction is completed pursuant to the Lease and consent of NSR.

(e) Summary of the proposed transaction:

(1) The name and address of the railroad granting operating interests in the subject property:

Norfolk Southern Railway Company
Three Commercial Place
Norfolk, Virginia 23510

(2) The proposed time schedule for consummation of the transaction:
IHB expects to consummate the transaction, by commencing operations on a date in 2015 that is more than thirty days after the filing of this Notice.

(3) The Mileposts of the subject track, including any branch lines:
The track only between Mileposts 0.03 and 0.06, and right-of-way land and track between Mileposts 0.06 and 0.9.

(4) The total route miles being acquired:
This transaction involves approximately 0.87 miles of track.

(5) The projected revenue applicable to this transaction:
Pursuant to 49 CFR 1150.42 (e), the projected annual revenue of the rail line to be leased, together with IHB's projected annual revenue, does not exceed \$ 5 Million

(f) Map:

The attached map that clearly indicates the area to be served including stations, cities, counties and states is attached as Appendix 1.

(g) Certificate of Compliance with the provisions of 49 CFR 1150.43(g):

Attached as Appendix 2 is a certificate affirming that IHB's projected operating

revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier, so as to require processing under 1150.45.

(h) Interchange commitments:

The lease between IHB and NSR does not contain any provision that may limit future interchange with a third-party connecting carrier.

(i) Other information and supporting materials:

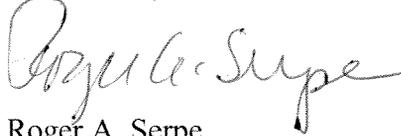
A caption summary in the prescribed form is attached as Appendix 3 to this notice.

Pursuant to 49 CFR 1105.6 (c) (2) (ii), the proposed transaction is exempt from environmental review because the action proposed herein will not exceed any of the thresholds established in 1105.7(e) (4) or (5). In addition, this transaction is exempt from historic review under 1105.8(b) (1), because the proposed exclusive lease is for the purpose of continued rail operations. Further STB approval would be required for the parties to abandon service, and there are no plans to dispose or alter properties subject to STB jurisdiction that are 50 years or older. This action will not significantly affect the quality of the human environment or energy conservation.

Finally, IHB is a class III carrier, and pursuant to 49 U.S.C. §10902(d), approval of this transaction may not be subjected to labor protection conditions.

DATED: March 13, 2015

Respectfully Submitted,



Roger A. Serpe
General Counsel
Indiana Harbor Belt Railroad Company



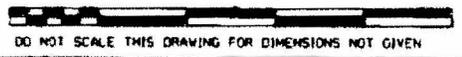
Begin Lease: Track only MP 0.03 - 0.06
 Begin Station: 22+24 Derrail depicted on Valuation Map V25ac/5
 End Lease: Cook County, IL / Lake County, IN Line
 Station: 70+04 depicted on Valuation Map V25c/5.1

Description of Property to Be Leased (The "Line")

All of the track (as that term is defined in Section 4(c)) and right of way and adjacent real property located between the following endpoints, including but not limited to sidings, sidetracks, yards or facilities presently owned by NSR that are accessed via the right of way together with only the track (as that term is defined in Section 4(c)) between MP UO 0.03 and UO 0.06 but not including any right of way for that 0.03 of a mile segment, it being agreed that MP UO 0.06 is approximately the point where the said leased track crosses the easterly right of way line for NSR's River Track, it being expressly agreed that this Lease does not include any of the NSR's River Track right of way (NSR's River Track right of way at this location extending 33 feet eastwardly of the center line of NSR's River Track).

Location	Description	Milepost Limits	Length (miles)
Hammond, IN	Line	UO: 0.06-0.9	0.9 Miles

SCALE:



DO NOT SCALE THIS DRAWING FOR DIMENSIONS NOT GIVEN

NORFOLK SOUTHERN
 NORFOLK SOUTHERN RAILWAY COMPANY
 OWNING COMPANY
DEARBORN
 OPERATING DIVISION
 OFFICE OF THE CHIEF ENGINEER - DESIGN AND CONSTRUCTION - ATLANTA, GA

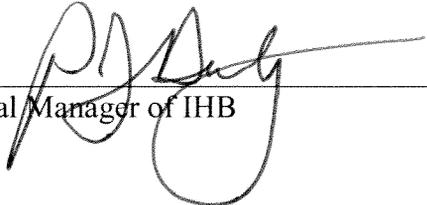
DATE	DESCRIPTION
BY	CHICAGO, IL
TITLE	INDIANA HARBOR BELT RAILROAD COMPANY LEASE EXHIBIT
FILE NO.	N/A
FILE NO.	ROW0118857
DATE	NOVEMBER 10, 2014
FILE NO.	MP UO: 0.06
DRAWING NUMBER	RA-2014-35

Attachment A - Sheet 2

VERIFICATION

Patrick J. Daly, being duly sworn, states that he is General Manager of Indiana Harbor Belt Railroad Company (IHB); that he has knowledge of the assertions set forth in this Notice of Exemption.

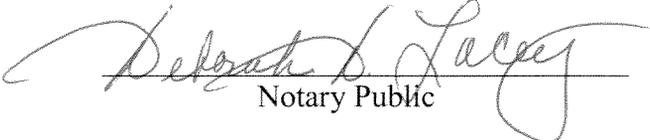
- 1. The projected annual revenue of IHB to be created by virtue of this Notice of Exemption will not exceed \$5 million;
- 2. The projected annual revenue of IHB to be created by virtue of this Notice of Exemption will not result in its being classified as a Class I or Class II rail carrier;
- 3. The Lease between IHB and NSR does not involve a provision or agreement that may limit future interchange with a third-party connecting carrier; and
- 4. All factual assertions in this Notice of Exemption are true and correct.



 General Manager of IHB

STATE OF ILLINOIS)
)
 COUNTY OF COOK)

SUBSCRIBED and SWORN to before me this ____ day of March, 2015.



 Notary Public



CAPTION SUMMARY

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INDIANA HARBOR BELT RAILROAD COMPANY
-- LEASE AND OPERATION EXEMPTION --
RAIL LINES OF NORFOLK SOUTHERN RAILWAY COMPANY IN THE CITY OF
CHICAGO, ILLINOIS, IN COOK
COUNTY, IL

Indiana Harbor Belt Railroad Company (IHB), a Class III rail carrier, has filed a Notice of Exemption under 49 C.F.R. Sec. 1150.41 et seq. and 49 U.S.C. 10502 for its class exemption from 49 U.S.C. Sec. 10902 for its lease from Norfolk Southern Railway Company (NSR) and operation of a rail line owned by NS that extends between Milepost Nos. UO 0.03 and UO 0.9, commonly known as the Old Hammond Industrial Track, a distance of 0.87 miles in Chicago, Cook County, IL.

The proposed reestablishment of operations on this line by IHB is proposed to be consummated no earlier than 30 days after the Notice of Exemption is filed with the Board.

Any comments must be filed with the Board and must be served on IHB's representative:

Roger A. Serpe
Indiana Harbor Belt Railroad Company
55 West Monroe Street, Suite 1600
Chicago, Illinois 60603-5001
Ph.: (312) 827-2680
Fax: (312) 827-2682
E-Mail: roger.serpe@ihbrr.com

This Notice of Exemption is filed under 49 C.F.R. § 115041. If the Notice contains 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.

[SEAL]

By the Board