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ENTERED

June 15, 2015

Office of Proceedings
June 15, 2015
Part of Public Record

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: **Docket No. AB-55 (Sub-No. 743X), CSX Transportation, Inc.—
Discontinuance of Service Exemption—in Raleigh County, WV**

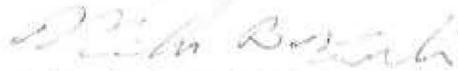
Dear Ms. Brown,

Enclosed are the original and 10 copies of a Verified Notice of Exemption for CSX Transportation, Inc. ("CSXT") to discontinue service over an approximately 3.80-mile rail line on its Southern Region, Huntington Division, Piney Creek Subdivision between approximately milepost CAV 0.0 and milepost CAV 3.80, near Surveyor, Raleigh County, WV. Also enclosed are a check for the filing fee of \$3,800, and a computer diskette containing the Notice in WORD and pdf format.

Please time and date stamp the additional copy of this letter and Notice and return it with the messenger.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Melanie B. Yasbin
Attorney for CSX Transportation, Inc.

Enclosure

FEE RECEIVED
June 15, 2015
SURFACE
TRANSPORTATION BOARD

FILED
June 15, 2015
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 743X)

CSX TRANSPORTATION, INC.—DISCONTINUANCE OF SERVICE EXEMPTION—
IN RALEIGH COUNTY, WV

VERIFIED NOTICE OF EXEMPTION

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer, LLC
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgraillaw.com

Attorneys for: CSX TRANSPORTATION,
INC.

Dated: June 15, 2015

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-55 (Sub-No. 743X)

CSX TRANSPORTATION, INC.–DISCONTINUANCE OF SERVICE EXEMPTION–
IN RALEIGH COUNTY, WV

VERIFIED NOTICE OF EXEMPTION

CSX Transportation, Inc. (“CSXT”) files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 for CSXT to discontinue service over an approximately 3.80-mile rail line on its Southern Region, Huntington Division, Piney Creek Subdivision between railroad milepost CAV 0.0 and railroad milepost CAV 3.80, near Surveyor, in Raleigh County, WV (the “Line”). No local rail traffic has moved over the Line during the past two years. Any overhead traffic on the Line can be and has been rerouted.

Based on information in the possession of CSXT, the Line does not contain federally granted rights-of-way. Any documentation in the railroad’s possession will be made available promptly to those requesting it.

1. Proposed consummation date. The proposed consummation date is August 5, 2015.
2. Certification required by 49 C.F.R. § 1152.50(b). *See* Exhibit A.
3. Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).

(a) General.

- (1) Exact name of applicant. CSX Transportation, Inc.

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C.

Subtitle IV, Chapter 105. CSXT is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought. CSXT seeks to use the class exemption at 49 C.F.R. § 1152.50 to discontinue service over an approximately 3.80-mile rail line on its Southern Region, Huntington Division, Piney Creek Subdivision between railroad milepost CAV 0.0 and railroad milepost CAV 3.80, near Surveyor, in Raleigh County, WV

(4) Map. *See* Exhibit B.

(7) Name, title, and address of representative of applicant to whom correspondence should be sent. Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410) 296-2250, Lou@lgrailaw.com.

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses U.S. Postal ZIP Code 25932 and 25844.

(e) Rural and community impact.

(4) Statement of whether the properties proposed to be discontinued are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

CSXT is discontinuing service over the Line because the coal reserves near the Line have become inactive. The Line has been inactive. Once discontinuance of service is authorized,

CSXT will close the road crossings and remove the signals but leave the remaining infrastructure in place to preserve the corridor in case the coal reserves become active. Since service on the Line is being discontinued and not abandoned and CSXT is retaining the Line for future reactivation if demand for rail service resumes, the Line is not available for public purposes.

Central Illinois Railroad Company—Discontinuance of Service Exemption—in Cook County, Ill., Docket No. AB 1066 (Sub-No. 2X) (STB served November 16, 2010) at 3.

4. The level of labor protection. The interests of any railroad employees who may be adversely affected by the proposed discontinuance of service will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. –Abandonment–Goshen*, 360 I.C.C. 91 (1979).

5. Certification. Certificates of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11 are attached as Exhibit C.

6. Environmental Report. CSXT is not salvaging the track and materials on the Line. It will merely close the road crossings and remove the signals. Because the Line has not been used in several years, there will be no diversion of traffic from rail to truck. Therefore, CSXT does not have to prepare or file an Environmental Report. 49 C.F.R. 1105.6(c)(2).

7. Historic Report. CSXT is discontinuing service over the Line. It is not salvaging the track and materials on the Line. There will be no impact on historic properties. Therefore, CSXT does not have to prepare or file an Historic Report. 49 C.F.R. 1105.8(a).

Respectfully submitted,



Louis E. Gitomer, Esq.
Melanie B. Yasbin, Esq.
Law Offices of Louis E. Gitomer
600 Baltimore Avenue, Suite 301
Towson, MD 21204
(410) 296-2250
Lou@lgrailaw.com

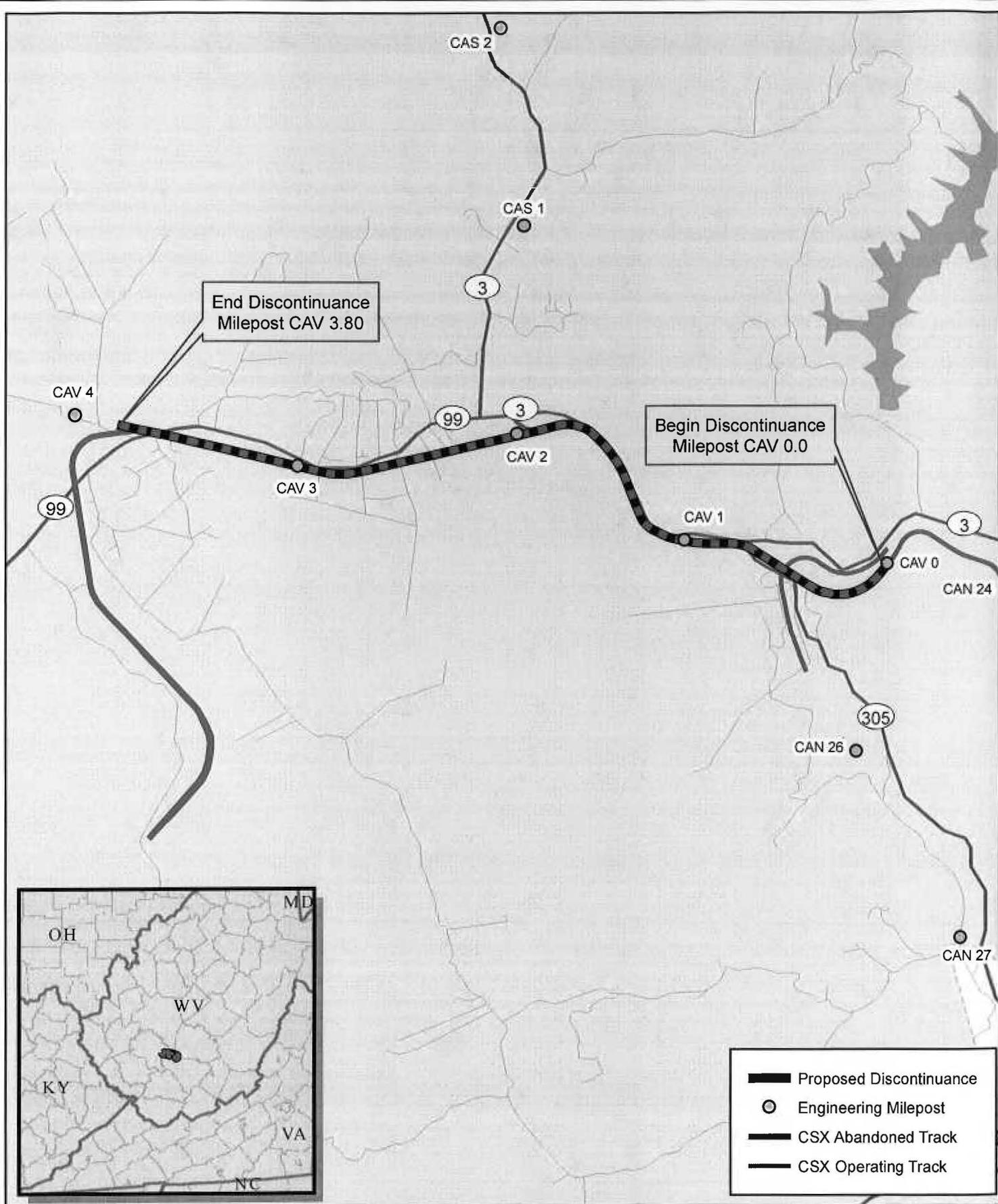
Attorneys for: CSX TRANSPORTATION,
INC.

Steven C. Armbrust, Esq.
CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202
(904) 359-1229

Dated: June 15, 2015

EXHIBIT A-VERIFICATION AND CERTIFICATION

EXHIBIT B-MAP



End Discontinuance
Milepost CAV 3.80

Begin Discontinuance
Milepost CAV 0.0

-  Proposed Discontinuance
-  Engineering Milepost
-  CSX Abandoned Track
-  CSX Operating Track



CSX Real Property, Inc.

CSX Transportation, Inc.
Proposed Discontinuance of Service, Surveyor WV
Milepost CAV 0 - CAV 3.80 (3.80 Miles Total)
STB Docket No. AB55 (Sub No. 743X)
Huntington Division - Piney Creek Subdivision
Raleigh County, West Virginia

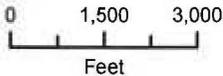


EXHIBIT C-CERTIFICATES OF SERVICE AND PUBLICATION

Pursuant to 49 C.F.R. § 1152.50 (d) (1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 731X) was mailed via first class mail on June 3, 2015, to the following parties:

State Public Service Commission

Public Service Commission of West Virginia
201 Brooks Street
Charleston, WV 25301

Military Traffic Management Command

Headquarters
Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

National Park Service

Mr. Rick Potts
Chief, Conservation and Outdoor Recreation Division
Rivers, Trails and Conservation Assistance Program National Park Service
1849 C Street, N.W. (Org Code 2220)
Washington, DC 20240

National Park Service

U.S. Department of Interior
National Park Service
Land Resources Division
1849 C Street, N.W.
Washington, DC 20240

U.S. Department of Agriculture

U.S. Department of Agriculture
Chief of the Forest Service
1400 Independence Avenue, S.W.
Washington, DC 20250-0003



Melanie B. Yasbin
Melanie B. Yasbin
June 15, 2015

CERTIFICATE OF PUBLICATION

The undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-55 (Sub-No. 743X) in the following form was advertised on June 9, 2015, in the Register Herald, a newspaper of general circulation in Raleigh County, WV as required by 49 C.F.R. § 1105.7(c) and .12.



Melanie B. Yasbin

June 15, 2015

Notice of Intent To Discontinue Service

CSX Transportation, Inc. ("CSXT") gives notice that on or about June 13, 2015, it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments permitting the discontinuance of service over an approximately 3.80-mile rail line on its Southern Region, Huntington Division, and Piney Creek Subdivision between railroad milepost CAV 0.0 and railroad milepost CAV 3.80, which traverses through United States Postal Service ZIP Code 25932 and 25844, in Raleigh County, WV. The proceeding will be docketed as No. AB-55 (Sub-No. 743X).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the OEA, Surface Transportation Board, Washington, DC 20423 or by calling that office at (202) 245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E Street, SW, Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Copies of any comments or requests for conditions should be served on the applicant's representative: Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204, (410)296-2250, Lou@lgrailaw.com.

**EXHIBIT D- ENVIRONMENTAL REPORT
NONE REQUIRED**

Burroughs, JoAnn

From: Burroughs, JoAnn
Sent: Thursday, April 30, 2015 1:31 PM
To: 'Simon Monroe'
Subject: RE: NGS Response, STB Docket AB-55 (SUB NO. 743X)

Good Afternoon Simon,

Please consider this our 90 day notice to salvage activities.

Jo Ann Burroughs
Manager Network Services
CSX Transportation
904-359-1247

-----Original Message-----

From: Simon Monroe [<mailto:simon.monroe@noaa.gov>]
Sent: Thursday, April 30, 2015 10:45 AM
To: Burroughs, JoAnn
Cc: Surface Transportation Board; Lucy Hall; Simon Monroe
Subject: NGS Response, STB Docket AB-55 (SUB NO. 743X)

Thank you for sharing your railroad abandonment environmental report for
SURVEYOR, Raleigh County, WEST VIRGINIA.

Approximately 02 geodetic survey marks may be located in the area described. These marks may or may not be disturbed.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
consult with the National Geodetic Survey (NGS) at least 90 days prior to
beginning salvage activities that will disturb, or destroy any geodetic station
marks are described on the attached file. Additional advice is provided at

<http://geodesy.noaa.gov/marks/railroads/>

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|...|GX1209|.2|88/ADJUSTED|N374637.....|W0812120.....|C...|G|C 183

|...|GX1060|.2|88/ADJUSTED|N374614.....|W0811918.....|C...|G|W 40

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|...|GX1209|.2|88/ADJUSTED|N374637.....|W0812120.....|C...|G|C 183
|...|GX1060|.2|88/ADJUSTED|N374614.....|W0811918.....|C...|G|W 40

**EXHIBIT E- HISTORIC REPORT
NONE REQUIRED**