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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. FD-35810

ENTERED
Office of Proceedings
March 21, 2014
Part of
Public Record

**CCET, LLC
—LEASE AND OPERATION EXEMPTION—
RAIL LINE OF NORFOLK SOUTHERN RAILWAY COMPANY
IN HAMILTON COUNTY AND CLERMONT COUNTY, OHIO**

VERIFIED NOTICE OF EXEMPTION PURSUANT TO 49 C.F.R. § 1150.31, ET SEQ.

James H. M. Savage
22 Rockingham Court
Germantown, MD 20874
(908) 361-7097
jsavagelaw@aim.com
Counsel for CCET, LLC

Dated: March 21, 2014

FEE RECEIVED
March 21, 2014
SURFACE
TRANSPORTATION BOARD

FILED
March 21, 2014
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**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35810

**CCET, LLC
—LEASE AND OPERATION EXEMPTION—
RAIL LINE OF NORFOLK SOUTHERN RAILWAY COMPANY
IN HAMILTON COUNTY AND CLERMONT COUNTY, OHIO**

**VERIFIED NOTICE OF EXEMPTION PURSUANT TO 49 U.S.C. § 10901 AND
49 C.F.R. § 1150.31, ET SEQ.**

CCET, LLC (“CCET”), an Ohio limited liability company and non-carrier, which will become a Class III carrier upon this exemption taking effect, hereby files this Verified Notice of Exemption pursuant to the class exemption provisions of 49 U.S.C. § 10901 and 49 C.F.R. § 1150.31, et seq., to lease and operate a line of railroad from Norfolk Southern Railway Company (“NSR”). The line of railroad is a 24 mile portion of NSR’s CT Line, extending between milepost CT 9.0 at Clare, Ohio, immediately east of Clare Yard, and milepost CT 32.83, west of Williamsburg, Ohio, and passing through Hamilton County and Clermont County, Ohio (referred to as the “Line”). NSR will retain limited overhead trackage rights over the Line.

In support of this Verified Notice of Exemption, CCET submits the following information as required by 49 C.F.R. § 1150.33:

(a) Full name and address of applicant.

CCET, LLC
337 Grain Terminal Road
Suite 2014
Burbank, Washington 99323

(b) Applicant's Representatives.

James H. M. Savage
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Germantown, MD 20874
(908) 361-7097
jsavagelaw@aim.com
Counsel for CCET, LLC

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

NSR and CCET have entered into a lease agreement, dated March 14th, 2014, under which CCET will lease and operate the Line.

(d) Operator of the property.

In all cases anticipated by this Notice, and as described in the transaction summary provided below, CCET will hold itself out to provide all common carrier rail freight service over the subject rail property, with NSR retaining limited overhead trackage rights.

(e) Summary of Proposed Transaction.

This exemption involves the lease and operation by CCET, which will upon this Notice taking effect shall become a Class III railroad carrier, of certain rail property owned by NSR and which had previously been operated by NSR.

(1) The name and address of the railroad transferring operating interests in the subject Property:

Norfolk Southern Railway Company
Three Commercial Place
Norfolk, VA 23510

(2) The proposed time schedule for consummation of the transaction:

CCET's lease and operation of the line is to commence on or after April 27th, 2014, more than 30 days after the filing of this Notice.

(3) The Mileposts of the subject property, including any branch lines:

CCET will lease and operate the portion of NSR's CT Line between milepost CT 9.0 at Clare, Ohio, immediately east of Clare Yard, and milepost CT 33.83, west of Williamsburg, Ohio, and passing through Hamilton County and Clermont County, Ohio.

(4) The total route miles being acquired:

CCET intends to lease and operate rail property comprising a total of approximately 24 route miles.

(f) Map.

A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and states is attached as Exhibit A.

(g) Certificate of Compliance with the provisions of 49 C.F.R. § 1150.33(g).

Attached as Exhibit B is a certificate affirming that CCET's projected 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 49 C.F.R. § 1150.35. The projected annual revenues of CCET as a result of this transaction will not exceed \$5 million.

(h) Interchange commitments.

The lease between CCET and NSR does not contain any provision that prohibits, restricts, or would otherwise limit future interchange of traffic with any third-party carrier.

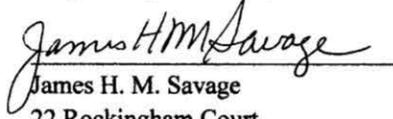
Other Information and Supporting Materials.

A caption summary, as required by 49 C.F.R. § 1150.34, is attached as Exhibit C to this notice. Pursuant to 49 C.F.R. § 1105.6(c)(2)(i), the proposed transaction is exempt from environmental review because the action proposed herein will not exceed any of the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5).

In addition, the transaction is exempt from historic review under 49 C.F.R. § 1105.8(b)(1), because CCET's lease and operation of the Line is for the purpose of continued rail operations.

Further STB approval would be required to abandon any 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.

Respectfully submitted,

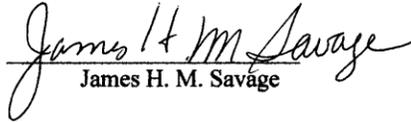
A handwritten signature in cursive script that reads "James H. M. Savage". The signature is written in black ink and is positioned above a horizontal line.

James H. M. Savage
22 Rockingham Court
Germantown, MD 20874
(908) 361-7097
jsavagelaw@aim.com
Counsel for CCET, LLC

Dated: March 21, 2014

CERTIFICATION OF SERVICE

I, James H. M. Savage, an attorney-at-law of the District of Columbia, certify that I have served this day by electronic mail a true copy of the within pleading upon R. Aubrey Parsley, EI Manager, Strategic Planning | Norfolk Southern Corporation, 3 Commercial Place, 12th Floor, Norfolk, VA 23510


James H. M. Savage

Dated: March 21, 2014

EXHIBIT A

Exhibit A

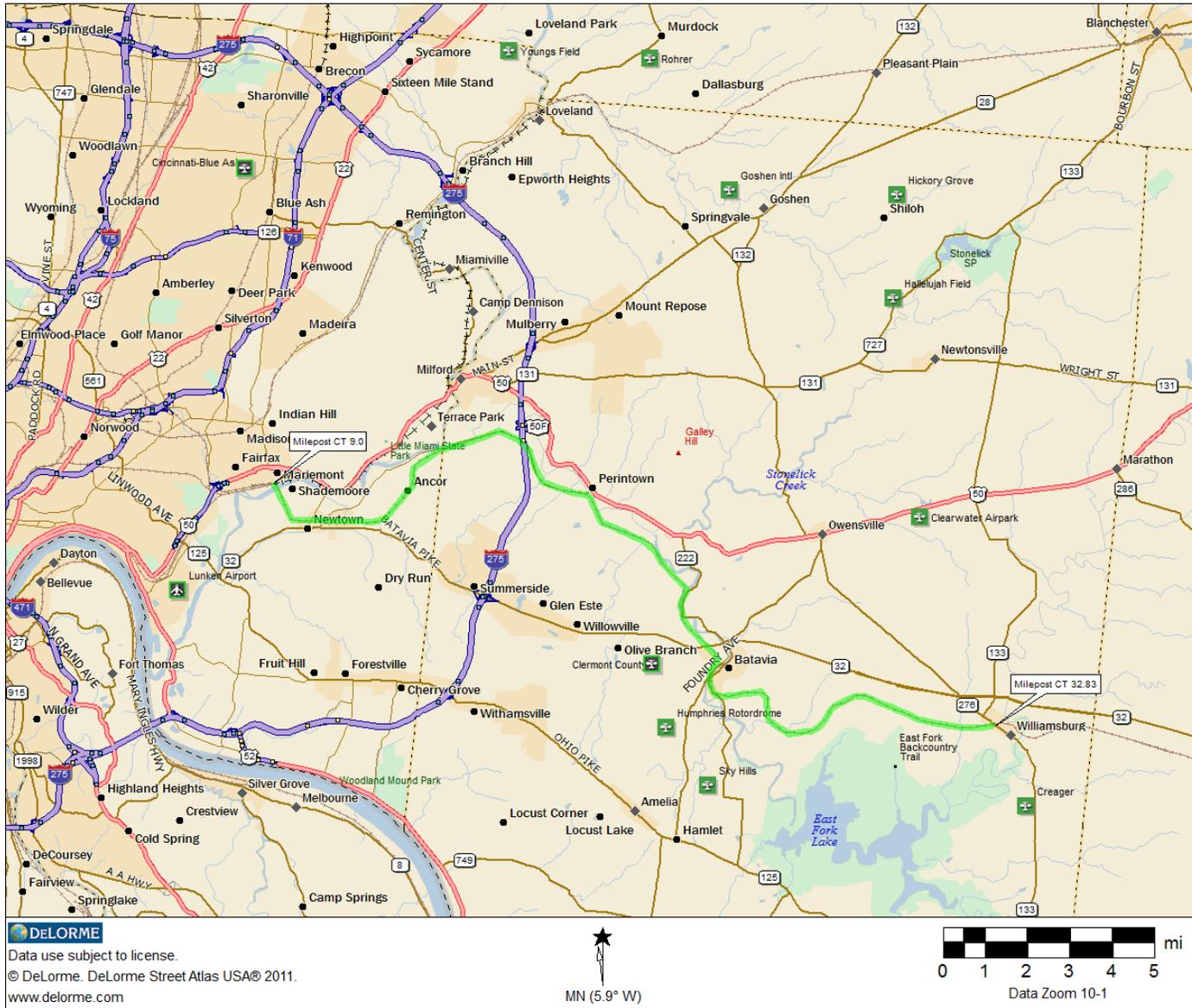


EXHIBIT B

VERIFICATION AND CERTIFICATE OF COMPLIANCE

I, Paul Dideluis, declare under penalty of perjury that I am the Owner of CCBT, LLC, that I have read the foregoing Notice of Exemption, know the facts asserted therein, and that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this notice.

I also hereby certify that CCBT's projected annual revenues will not as a consequence of this transaction result in CCBT becoming a Class II or Class III rail carrier so as to require processing of the foregoing notice of exemption under 49 C.F.R. § 11.70.75, and that CCBT's projected annual revenue for the Lines to be operated pursuant to this notice does not exceed \$5 million dollars.



Paul Dideluis
Owner, CCBT, LLC

Dated: March 20, 2014

EXHIBIT C

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

STB Finance Docket No. 35810

**CCET, LLC
—LEASE AND OPERATION EXEMPTION—
RAIL LINE OF NORFOLK SOUTHERN RAILWAY COMPANY
IN HAMILTON COUNTY AND CLERMONT COUNTY, OHIO**

CCET, LLC (“CCET”), a non-carrier which will become a Class III carrier upon this Exemption taking effect, has filed a Notice of Exemption, pursuant to 49 C.F.R. Section 1150.31 et seq., to lease and operate a portion of Norfolk Southern Railway Company’s (“NSR’s”) CT Line of railroad, extending a distance of approximately 24 miles between milepost CT 9.0 at Clare, Ohio, immediately east of Clare Yard, and milepost CT 32.83, west of Williamsburg, Ohio, and passing through Hamilton County and Clermont County, Ohio (the “Line”). NSR will retain limited overhead trackage rights over the Line.

Comments must be filed with the Board and served on CCET’s representative:

James H. M. Savage
22 Rockingham Court
Germantown, MD 20874
(908) 361-7097
jsavagelaw@aim.com
Counsel for CCET, LLC

The notice of exemption is filed under 49 C.F.R. § 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the 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 effectiveness of the transaction.

Dated:

By the Board.

LAW OFFICES
JAMES H. M. SAVAGE, ESQ.
22 ROCKINGHAM COURT
GERMANTOWN, MD 20874
jsavagelaw@aim.com

Admitted to Practice
DC & New Jersey

Tel: (908) 361-7097
Fax: (301) 972-5743

March 21, 2014

via hand delivery

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, S.W.
Washington, D.C. 20423-0001

**Re: FD 35810: CCET, LLC – Lease and Operation Exemption – Rail Line of Norfolk
Southern Railway Company in Hamilton County and Clermont County, Ohio**

Dear Ms. Brown:

Enclosed are an original and ten (10) copies of a Verified Notice of Exemption (“Notice”) for an exemption under 49 C.F.R. § 1150.31, pursuant to which CCET, LLC (“CCET”) would lease and operate a portion of the CT Line owned and operated by Norfolk Southern Railway Company. Also enclosed are a caption summary as prescribed by 49 C.F.R. § 1150.34 and an electronic version of the Notice.

Pursuant to 49 C.F.R. § 1002.2(f)(11)(ii), enclosed is a check for \$1,900.00 covering the applicable filing fee. [Also enclosed please find a duplicate copy of this letter to be stamped with the filing date and returned to the undersigned]. If there are any questions about this matter, please contact me directly, either by telephone at (908) 361-7097 or by electronic mail at jsavagelaw@aim.com.

Respectfully submitted,


James H. M. Savage
Counsel for CCET, LLC

Enclosures