

236327

BEFORE THE  
SURFACE TRANSPORTATION BOARD

ENTERED  
Office of Proceedings  
July 16, 2014  
Part of  
Public Record

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FINANCE DOCKET NO. 35820

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BLUE RIDGE SOUTHERN RAILROAD, L.L.C.  
--ACQUISITION EXEMPTION--  
NORFOLK SOUTHERN RAILWAY COMPANY

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REPLY TO COMMENTS OF AMERICAN TRAIN DISPATCHERS ASSOCIATION

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L.L.C.

Dated: July 16, 2014

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REPLY TO COMMENTS OF AMERICAN TRAIN DISPATCHERS ASSOCIATION

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Blue Ridge Southern Railroad, L.L.C. ("BLU") hereby replies to the Comments filed by the American Train Dispatchers Association ("ATDA") in this proceeding on July 10, 2014. ATDA takes no position (either in favor or in opposition) to BLU's proposed acquisition of 98.1 miles of rail lines from Norfolk Southern Railway Company ("NS").

ATDA alleges that the positions held by four NS train dispatchers will be abolished as a result of the proposed transaction. ATDA requests that the Surface Transportation Board ("Board") impose the labor protective conditions set forth in *Wisconsin Central LTD. --- Acquisition Exem. - Union Pac. RR*, 2 S.T.B. 218 (1997) and "state that those condition are to be applied to NS train dispatchers impacted by the acquisition." Comments at 2.

BLU has been informed by NS that NS plans to reorganize certain territories following BLU's acquisition of 98.1 miles of rail lines from NS. NS will eliminate one desk in this reorganization; however, the lone dispatcher on that job is retiring in September. NS' reorganization will not result in any dispatcher being furloughed.

In any event, pursuant to 49 U.S.C. § 10901(c), the Board is statutorily prohibited from imposing any labor protection on a transaction involving the acquisition of rail lines by a noncarrier. STB Finance Docket No. 35147, *Norfolk Southern Railway Company, Pan Am Railway, Inc., et al. – Joint Control and Operating/Pooling Agreement – Pan Am Southern LLC* (not printed), served March 10, 2009, slip op. at 15.

Respectfully submitted,



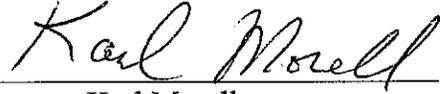
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Dated: July 16, 2014

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 2014, I caused a copy of the foregoing Reply to be served by first class mail, postage prepaid on all parties of record in this proceeding.



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Karl Morell