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SEC

SERVICE DATE – FEBRUARY 26, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 34291

COMRAIL INTERNATIONAL RAILROAD, INC.
–OPERATION EXEMPTION–
CHICAGO HEIGHTS RAILCAR, INC.

Decided: February 25, 2003

On December 4, 2002, Comrail International Railroad, Inc. (Comrail), filed a notice of exemption under 49 CFR 1150.31 to commence operations over approximately 4,200 feet of trackage owned by Chicago Heights Railcar, Inc., at Chicago Heights, IL. On December 9, 2002, a petition to stay the effective date of the exemption was filed by Joseph C. Szabo, for and on behalf of the United Transportation Union-Illinois Legislative Board, and Comrail replied to that petition. By decision served December 10, 2002, the stay petition was denied. The exemption became effective on December 11, 2002.

Subsequently, certain questions were raised about Comrail's operations and staffing, particularly with respect to the establishment of a railroad police force. On February 11, 2003, the Director of the Board's Office of Compliance and Enforcement contacted Comrail requesting specific information on its operations and staffing. That information was to be provided by close-of-business on February 21, 2003.

By letter filed on February 20, 2003, Comrail has requested leave to withdraw the notice of exemption and stated that it is agreeable to a voluntary revocation of the exemption in this proceeding. The request will be granted and the proceeding will be discontinued.

It is ordered:

1. The request for permission to withdraw the notice of exemption is granted, the exemption is revoked, and the proceeding is discontinued.

2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary