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SERVICE DATE – OCTOBER 17, 2011

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 35509

CORDELE INTERMODAL SERVICES RAILROAD, INC.—ACQUISITION AND
OPERATION EXEMPTION—RAIL LINE AT EAST INDUSTRIAL PARK, CORDELE, GA.

Decided: October 14, 2011

This decision grants a request to withdraw the notice of exemption in this case. On May 16, 2011, Cordele Intermodal Services Railroad, Inc. (CISR), a noncarrier, filed a notice of exemption under 49 C.F.R. § 1150.31 to acquire and operate over approximately 1,500 feet of track (the Track) located in East Industrial Park (the Park), Cordele, Ga.¹ In the notice, CISR stated that it had recently constructed the Track for use as a side track or switching track for shipments originating or terminating in the Park and subsequently intended to provide common carrier rail service over the Track in conjunction with using the Track as an intermodal center.

In a decision served on June 2, 2011, the Board sought additional information from CISR concerning the Track and its construction, prior to permitting the notice of exemption to become effective. In response, CISR's attorney provided further information and also asked to withdraw the notice of exemption because the Track would not be operated in common carrier rail service. Finding that the new information was insufficient, the Board again requested additional information in a decision served on August 18, 2011.

The Board has now received sufficient information to ascertain that the Track is ancillary side or industrial track, excepted from the requirement of obtaining Board authority to construct or acquire a rail line under 49 U.S.C. § 10906. Accordingly, the request to withdraw the notice of exemption will be granted.

This action will not have a significant effect on the human environment or the conservation of energy resources.

It is ordered:

1. The request to withdraw the notice of exemption is granted.
2. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

¹ There are no known mileposts associated with the Track.