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SERVICE DATE – SEPTEMBER 28, 2006

DO

FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-868 (Sub-No. 1X)]

Mississippi Tennessee Holdings, LLC—Abandonment Exemption—in Hardeman
County, TN and Tippah and Union Counties, MS

[STB Docket No. AB-869 (Sub-No. 1X)]

Mississippi Tennessee Railroad, LLC—Discontinuance of Service Exemption—in
Hardeman County, TN and Tippah and Union Counties, MS

Mississippi Tennessee Holdings, LLC (MTH) and Mississippi Tennessee
Railroad, LLC (MTRR) (collectively, applicants), have jointly filed a notice of exemption
under 49 CFR 1152 Subpart F—Exempt Abandonments and Discontinuances of Service
for MTH to abandon, and for MTRR to discontinue service over: (1) an approximately
19.4-mile line of railroad between milepost 367.5, which is located approximately 25 feet
north of the centerline of Thryson Krump plant entry road in Middleton, Hardeman
County, TN, and milepost 348.1, which is located approximately 1,663 feet north of the
centerline of Industrial Park Road at the northern end of Ripley, Tippah County, MS; and
(2) an approximately 1.36-mile line of railroad between milepost 325.56, which is located
approximately 25 feet north of the BNSF Railway Company diamond in New Albany,
Union County, MS, and milepost 324.2, which is located approximately one-quarter of a
mile south of Interstate Highway 78 in Union County, MS, a total distance of 20.76

miles. The line traverses United States Postal Service Zip Codes 38052, 38652 and 38663.

Applicants have certified that: (1) no traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on October 28, 2006, unless stayed pending reconsideration. Petitions to stay that do not involve environmental

issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by October 10, 2006. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 18, 2006, with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicants' representative: Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle St., Suite 1890, Chicago, IL 60604-1112.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Applicants have filed environmental and historic reports which address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by October 3, 2006. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See Exemption of Out-of-Service Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each OFA must be accompanied by the filing fee, which was increased to \$1,300 effective on April 19, 2006. See Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2006 Update, STB Ex Parte No. 542 (Sub-No. 13) (STB served Mar. 20, 2006).

hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), MTH shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by MTH's filing of a notice of consummation by September 28, 2007, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at WWW.STB.DOT.GOV.

Decided: September 22, 2006.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary