

21396

SERVICE DATE - JANUARY 24, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33333]

The Youngstown Belt Railroad Company--Lease and Operation
Exemption--The Warren & Trumbull Railroad Company

The Youngstown Belt Railroad Company (YBRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31: (1) to lease and operate approximately 12.9 miles of rail line, together with incidental trackage rights, owned by The Warren and Trumbull Railroad Company (WTRC); and (2) to acquire and operate 2.4 miles of connected rail line owned by CSX Transportation, Inc. (CSXT) via simultaneous assignment of WTRC's rights under a Track Lease/Operating Agreement with CSXT, a total of 15.3 miles of rail line, exclusive of the incidental trackage rights, located in Mahoning and Trumbull Counties, OH. YBRR will become a Class III rail carrier.¹ The proposed transaction was to have been consummated shortly after December 31, 1996, the effective date of the exemption.

¹ This proceeding is related to STB Finance Docket No. 33332, wherein Summit View Incorporated, a noncarrier, has filed a notice of exemption to continue in control of YBRR upon YBRR's becoming a Class III rail carrier.

The lines involved in the lease and operation, together with incidental trackage rights, are described as follows: between milepost 15.5 and milepost 17.3 in Warren; between milepost 17.3 in Warren and milepost 20.0 in North Warren; between milepost 57.0 and milepost 58.5 at Niles; between milepost 62.1 at Niles and milepost 66.4 at Youngstown; between milepost 0.0 at Brier Hill and milepost 0.7 at Leadville; and between milepost 4.1 at Ohio Works Junction and milepost 6.0 at Girard (the Lordstown Cluster Lines).

The lines involved in WTRC's assignment of trackage rights are over a segment of track between milepost 79.6 and milepost 82.0 at Girard (the Girard Line).²

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 the transaction.

² In addition to the Lordstown Cluster Lines and Girard Lines, WTRC also presently operates over a total of 9.28 miles of rail line between Deforest Junction and North Warren, in Warren and Holland Townships, OH. These lines are not affected by the subject transaction.

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An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33333, must be filed with the Surface Transportation Board, Office of the Secretary, Case

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Control Branch, 1201 Constitution Avenue, N.W., Washington,
DC 20423 and served on: Kelvin J. Dowd, Slover & Loftus,
1224 Seventeenth Street, N.W., Washington, DC 20036.

Decided: January 16, 1997.

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

Vernon A. Williams

Secretary