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SERVICE DATE - APRIL 9, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 598X)

CSX TRANSPORTATION, INC.–ABANDONMENT  
EXEMPTION–IN GREENBRIER COUNTY, WV

Decided: April 4, 2003

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 13.6-mile line of railroad between Rupert Junction at milepost CAH-7.2 and Clearco at milepost CAH-20.8 in Greenbrier County, WV. Notice of the exemption was served and published in the Federal Register on October 12, 2001 (66 FR 52180-81). The notice stated that, if consummation has not been effected by CSXT's filing of a notice of consummation by October 12, 2002, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.<sup>1</sup> On September 25, 2002, CSXT filed a request to extend, until April 11, 2003, the time to consummate the abandonment and to file its notice of consummation. CSXT's request was granted by decision served October 10, 2002.

On March 26, 2003, CSXT filed a second request to extend the deadline for filing its notice of consummation until October 10, 2003. The request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. CSXT's request for an extension of time to exercise the abandonment authority is granted.
2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before October 10, 2003.

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<sup>1</sup> By decision served November 7, 2001, the exemption was made subject to environmental and historic preservation conditions. By decision served January 2, 2002, the section 106 historic preservation condition was removed. The January 2 decision also noted that the other condition (related to geodetic station markers) remained.

3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary