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SERVICE DATE – DECEMBER 17, 2010

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 34624

R.J. CORMAN RAILROAD COMPANY/CENTRAL KENTUCKY LINES, LLC—
ACQUISITION AND OPERATION EXEMPTION—LINE OF R.J. CORMAN RAILROAD
PROPERTY, LLC

Docket No. FD 34625

R.J. CORMAN RAILROAD PROPERTY, LLC—LEASE EXEMPTION—LINE OF CSX
TRANSPORTATION, INC.

Decided: December 15, 2010

On January 26, 2005, R.J. Corman Railroad Company/Central Kentucky Lines, LLC (RJCC) and R.J. Corman Railroad Property, LLC (Railroad Property) filed notices of exemption in the above related proceedings to acquire by lease and operate a line of railroad owned by CSX Transportation, Inc., known as the Water Street Lead, in Louisville, Ky. The notices also had a trackage rights component. In R.J. Corman Railroad Company/Central Kentucky Lines, LLC—Acquisition and Operation Exemption—Line of R.J. Corman Railroad Property, LLC, FD 34624, notice was served and published in the Federal Register on February 23, 2005 (70 Fed. Reg. 8,875). In R.J. Corman Railroad Property, LLC—Lease Exemption—Line of CSX Transportation, Inc. FD 34625, notice was served on March 4, 2005 and published in the Federal Register on March 10, 2005 (70 Fed. Reg. 12,042).

By petition filed on August 6, 2010, RJCC and Railroad Property requested that the Board reopen the two proceedings to modify the trackage rights portions of the notices of exemption. By letter filed on November 16, 2010, however, the parties sought Board permission to withdraw their August 6 petition. The parties noted that they were instead filing a new notice of exemption addressing the trackage rights at issue.¹

The request to withdraw the petition is granted.

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

¹ The notice of exemption was filed on November 16, 2010. R.J. Corman Railroad Company/Central Kentucky Lines, LLC—Trackage Rights Exemption—CSX Transportation, Inc., FD 35442 (STB served Dec. 2, 2010).

It is ordered:

1. The request to withdraw the August 6, 2010 petition is granted.
2. This decision is effective on its date of service.

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