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SERVICE DATE - JULY 1, 1998

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FR-4915-00

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33615]

Genesee & Wyoming Inc.--Continuance in Control Exemption--Savannah Port Terminal Railroad, Inc. and Golden Isles Terminal Railroad, Inc.

Genesee and Wyoming Inc. (GWI), a noncarrier holding company, has filed a notice of exemption to continue in control of Savannah Port Terminal Railroad, Inc. (SAPT) and Golden Isles Terminal Railroad, Inc. (GITM), upon SAPT and GITM becoming Class III railroads.

The transaction was scheduled to be consummated on or shortly after June 8, 1998.

This transaction is related to STB Finance Docket No. 33613, Savannah Port Terminal Railroad, Inc.--Acquisition and Operation Exemption--Georgia Ports Authority and Savannah State Docks Railroad and STB Finance Docket No. 33614, Golden Isles Terminal Railroad, Inc.--Acquisition and Operation Exemption--Georgia Ports Authority and Colonel's Island Railroad, wherein SAPT and GITM seek to acquire easements to operate over certain rail lines from GPA.

GWI directly controls one existing Class II rail carrier subsidiary: Buffalo & Pittsburgh Railroad, Inc., operating in New York and Pennsylvania. GWI directly controls 12 existing Class III rail carrier subsidiaries: Genesee & Wyoming Railroad Company, Inc., operating in New York; Dansville and Mount Morris Railroad Company, operating in New York; Rochester & Southern Railroad, Inc., operating in New York; Louisiana & Delta

Railroad, Inc., operating in Louisiana; Bradford Industrial Rail, Inc., operating in Pennsylvania and New York; Allegheny & Eastern Railroad, Inc., operating in Pennsylvania; Willamette & Pacific Railroad, Inc., operating in Oregon; GWI Switching Services, operating in Texas; Illinois & Midland Railroad, Inc., operating in Illinois; Pittsburgh & Shawmut Railroad, Inc., operating in Pennsylvania; Portland & Western Railroad, Inc., operating in Oregon; and Corpus Christi Terminal Railroad, Inc., operating in Texas.

GW I indirectly controls 3 Class III rail carriers through its ownership of Rail Link, Inc.: Carolina Coastal Railway, Inc., operating in North Carolina; Commonwealth Railway, Inc., operating in Virginia; and Talleyrand Terminal Railroad, Inc., operating in Florida.

GW I states that: (1) the rail lines to be operated by SAPT and GITM do not connect with any railroad in the corporate family; (ii) the transaction is not part of a series of anticipated transactions that would connect SAPT and GITM's lines with any railroads in the corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

As a condition to this exemption the continuance in control of SAPT and GITM are subject to the labor protection requirements of 49 U.S.C. 11326(b).

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.

STB Finance Docket No. 33615

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33615, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Esquire, Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

Board decision and notices are available on our website at  
“[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).”

Decided: June 24, 1998.

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

Vernon A. Williams

Secretary