

29429

SERVICE DATE - JULY 21, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-554X]

Perry County Port Authority d/b/a Hoosier Southern Railroad--Discontinuance Exemption--
in Spencer County, IN

On July 1, 1998, Perry County Port Authority d/b/a Hoosier Southern Railroad (HSR) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903-10905¹ to discontinue service on a line of railroad known as the Rockport Line extending from milepost 0.0 at Rockport Junction to milepost 16.2 at Rockport, a distance of 16.2 miles in Spencer County, IN. As part of the exemption, HSR also seeks to discontinue incidental trackage rights over approximately 1.1 miles of Norfolk Southern Railway Company's (NSR) main line extending from milepost 32.1-EB at Rockport Junction to milepost 33.2-EB at Lincoln City, also in Spencer County, IN.² The lines traverse U.S. Postal Service Zip Codes 47552, 47611 and 47635. The Rockport Line includes the stations of Rockport, Chrisney, Rock

¹ HSR seeks exemption from the offer of financial assistance (OFA) subsidy provision of 49 U.S.C. 10904. This exemption request will be addressed in the final decision. HSR also seeks exemption from the public use provisions of 49 U.S.C. 10905. However, because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not applicable.

² HSR desires to terminate service because NSR has terminated its lease with HSR effective May 31, 1998. NSR resumed providing all rail service on the Rockport Line as of June 1, 1998.

Hill and Rockport Junction.

The interest of railroad employees will be protected by the conditions set forth in Oregon Short Line R. Co.--Abandonment--Goshen, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by October 19, 1998.

Unless an exemption is granted from the OFA provisions of 49 U.S.C. 10904, any OFA to subsidize continued rail service under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

This proceeding is exempt from environmental reporting requirements under 49 CFR 1105.6(c) and from historic reporting requirements under 1105.8(b).

All filings in response to this notice must refer to STB Docket No. AB-554X and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) John D. Heffner, Rea, Cross & Auchincloss, Suite 570, 1707 L Street, N.W., Washington, DC 20036.

Persons seeking further information concerning abandonment and discontinuance procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

Board decisions and notices are available on our website at

STB Docket No. AB-554X

“WWW.STB.DOT.GOV.”

Decided: July 14, 1998.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams

Secretary