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SERVICE DATE - OCTOBER 29, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 581X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—
IN FAYETTE AND RALEIGH COUNTIES, WV

Decided: October 26, 2001

A decision served on October 30, 2000, authorized CSX Transportation, Inc. (CSXT) to abandon a line of railroad between milepost CAX0.0, near Mill Creek Junction, and milepost CAX4.8, near Garden Ground, a distance of approximately 4.8 miles, in Fayette and Raleigh Counties, WV (line). The October 30, 2000 decision stated that, if consummation had not been effected by CSXT's filing of a notice of consummation by October 30, 2001, and there were no legal or regulatory barriers to consummation, the authority to abandon would automatically expire. Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings.

On October 22, 2001, CSXT filed an extension request for the filing of its notice of consummation. CSXT states that there have been ongoing negotiations between it and a party that is interested in acquiring the line for continued rail service but that negotiations cannot be completed by October 30, 2001. CSXT requests a 1-year extension until October 30, 2002, of the deadline for filing its notice of consummation. CSXT states that, if within the next year the line is purchased, an appropriate filing will be made with the Board and the abandonment proceeding will become moot. CSXT further states that, if the purchase does not materialize, it intends to consummate the abandonment by October 30, 2002.

CSXT has shown good cause to extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. Accordingly, 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.

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2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before October 30, 2002.
3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary