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SERVICE DATE – DECEMBER 28, 2006

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-43 (Sub-No. 176X)

ILLINOIS CENTRAL RAILWAY COMPANY – ABANDONMENT EXEMPTION – IN
RANKIN COUNTY, MS

Decided: December 27, 2006

Illinois Central Railway Company (IC) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 1.52-mile line of railroad between milepost 70.20 and milepost 71.72, in Flowood, Rankin County, MS (the line). Notice of the exemption was served and published in the Federal Register on September 20, 2005 (70 FR 55206) (exemption notice).¹ The exemption notice stated that, if consummation has not been effected by IC's filing of a notice of consummation by September 20, 2006, and there were no legal or regulatory barriers to consummation, the authority to abandon would automatically expire.²

By letter filed on August 18, 2006, IC informed the Board that, on August 16, 2006, it exercised the authority granted in the exemption notice and has consummated abandonment of that portion of the line from milepost 70.30 to milepost 71.72. Also, on August 18, 2006, IC filed a request to extend the deadline for filing its notice of consummation until December 31, 2006, for the remaining portion of the line (from milepost 70.20 to milepost 70.30). By decision served on September 19, 2006, the deadline was extended to December 31, 2006.

On December 12, 2006, IC filed a request to extend the deadline until June 30, 2007, for filing its notice of consummation for the remaining portion of the line (from milepost 70.20 to milepost 70.30). IC states that relocation of a connection to its East Jackson Spur from a point within the line to a point east of milepost 70.20 (off the line) will take place soon after it receives an executed funding agreement from the State of Mississippi. Until IC receives that executed agreement, it requires keeping the remaining portion of the line to remain intact in order to serve a shipper located immediately east of the abandonment limit. IC also states that the onset of winter may delay the consummation. IC has shown good cause to extend the time to consummate the remainder of the abandonment and for filing a notice of consummation in this proceeding. Accordingly, the request will be granted.

¹ By decision served on October 19, 2005, the exemption was made subject to two salvage conditions.

² 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.

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

It is ordered:

1. IC's request for an extension of time to exercise the abandonment authority for that portion of the line between milepost 70.20 and 70.30 is granted.
2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before June 30, 2007.
3. This decision is effective on its service date.

By the Board, Julia M. Farr, Acting Director, Office of Proceedings.

Vernon A. Williams
Secretary