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SERVICE DATE - OCTOBER 10, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 598X)

CSX TRANSPORTATION, INC.–ABANDONMENT
EXEMPTION–IN GREENBRIER COUNTY, WV

Decided: October 7, 2002

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 13.6-mile line of railroad between Rupert Junction at milepost CAH-7.2 and Clearco at milepost CAH-20.8 in Greenbrier County, WV. Notice of the exemption was served and published in the Federal Register on October 12, 2001 (66 FR 52180-81). In the October 12 notice, the Board stated that, if consummation had not been effected by CSXT's filing of a notice of consummation by October 12, 2002, the authority to abandon would automatically expire.¹

On September 25, 2002, CSXT filed a request to extend the deadline for filing its notice of consummation until April 11, 2003. 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.
2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before April 11, 2003.

¹ By decision served November 7, 2001, the proceeding was reopened at the request of the Board's Section of Environmental Analysis and the exemption was made subject to the conditions that CSXT: (1) retain its interest in the line in its entirety until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f; and (2) consult with the National Geodetic Survey (NGS) and provide NGS with 90 days' notice prior to disturbing or destroying any geodetic station markers. By decision served January 2, 2002, the section 106 historic preservation condition was removed. The NGS condition remains.

3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary