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SERVICE DATE – OCTOBER 21, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-868X¹

MISSISSIPPI TENNESSEE HOLDINGS, LLC–ABANDONMENT EXEMPTION–
IN UNION, PONTOTOC AND CHICKASAW COUNTIES, MS

Decided: October 19, 2005

By decision and notice of interim trail use or abandonment served on July 26, 2004, the Board granted a petition for exemption under 49 U.S.C. 10502 permitting Mississippi Tennessee Holdings, LLC (MTH) to abandon, and Mississippi Tennessee Railroad, LLC to discontinue service over, a 43.2-mile line of railroad in Union, Pontotoc and Chickasaw Counties, MS. The line extends from milepost 324.2 near New Albany to the end of the line at milepost 281.0 near Houston, MS. A decision served on November 18, 2004, terminated the offer of financial assistance process and permitted the abandonment authorization to become effective on the service date of the decision. As a result of that decision, the 1-year deadline for MTH to file a notice of consummation of the abandonment is November 18, 2005.

On October 14, 2005, MTH filed a request for an extension of 1 year in the deadline for filing a notice of consummation of abandonment in this proceeding. MTH indicates that it is continuing to negotiate with local government agencies for acquisition of the rail line for rail banking and interim trail use, even though the initial trail use negotiating period has expired. According to MTH, Hurricanes Katrina and Rita have preoccupied local government agencies and will continue to do so for an extended period of time.

MTH's request is reasonable and will be granted. Accordingly, the deadline for filing a notice of consummation of the abandonment is extended to November 18, 2006.

¹ Prior decisions in this proceeding have also embraced Mississippi Tennessee Railroad, LLC–Discontinuance of Service Exemption–in Union, Pontotoc and Chickasaw Counties, MS, STB Docket No. AB-869X.

It is ordered:

1. The deadline for filing a notice of consummation of abandonment in this proceeding is extended to November 18, 2006.
2. This decision is effective on its service date.

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

Vernon A. Williams
Secretary