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SERVICE DATE – LATE RELEASE DECEMBER 20, 2012

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 1071

STEWARTSTOWN RAILROAD COMPANY—ADVERSE ABANDONMENT—IN YORK
COUNTY, PA.

Decided: December 20, 2012

By decision and certificate of interim trail use or abandonment served on November 16, 2012 (November 16 Decision), the Board granted the application of the Estate of George M. Hart (Estate) for third-party, or “adverse,” abandonment of the 7.4-mile line of railroad owned by the Stewartstown Railroad Company (SRC) in York County, Pa. (the Line). The adverse abandonment was granted subject to environmental, historic preservation, and interim trail use conditions, as well as the possibility of offers of financial assistance under 49 U.S.C. § 10904 to purchase the Line.

On November 30, 2012, SRC filed a petition to reopen and stay the November 16 Decision. In its petition, SRC asserts, among other things, that it is prepared to offer an amount of not less than \$275,000 in settlement of the lien held by the Estate.

On December 14, 2012, the Estate filed a request to hold this proceeding in abeyance until February 15, 2013, to permit the parties to explore the possibility of settlement. The Estate notes that it is authorized to represent that counsel for SRC concurs with this request.

The Estate’s request is reasonable and will be granted. This proceeding will be held in abeyance (and therefore all deadlines are tolled) until further order of the Board. The Estate and SRC are directed to notify the Board, by no later than February 15, 2013, as to the progress of their negotiations.

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

It is ordered:

1. This proceeding is held in abeyance and all deadlines are tolled until further order of the Board.
2. The Estate and SRC shall file a report (jointly if possible) by no later than February 15, 2013, as to the progress of their negotiations.
3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.