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SERVICE DATE - SEPTEMBER 1, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33647]

Georgia Southwestern Railroad, Inc.—Lease Exemption—The Georgia Department of Transportation

Georgia Southwestern Railroad, Inc. (GSRW), a Class III rail common carrier, has filed a notice of exemption under 49 CFR 1150.41 to lease from the Georgia Department of Transportation (GDOT) and operate approximately 67.63 miles of rail lines as follows: (i) the rail line between milepost 577.85, at Vidalia, GA, and milepost 645.00, at Rochelle, GA, a distance of 67.15 miles; and (ii) the Abbeville Wye Track between Main Line Valuation Station 3429+40 and Wye Track Valuation Station 25+10, at Abbeville, GA, a distance of .48 miles.

The transaction is expected to be consummated on or after October 6, 1998. Because the projected revenues of the rail lines to be operated will exceed \$5 million, GSRW certified to the Board, on August 7, 1998, that the required notice of its rail line acquisition was posted at the workplace of the employees on the affected lines on August 6, 1998. See 49 CFR 1150.42(e).<sup>1</sup>

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<sup>1</sup> GSRW notes that there are currently no employees on the lines it seeks to lease but that it has complied with the technical requirements of section 1150.42(e) by posting notice at the workplace of GDOT. Notice was also posted at the workplace of Georgia Central Railway, L.P., a former owner and operator of a segment of the line GSRW seeks to lease. GSRW further notes that there are no labor unions with employees on the affected lines.

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If the notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33647, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Karl Morell, Esq., Ball Janik LLP, Suite 225, 1455 F Street, N.W., Washington, DC 20005.

Decided: August 25, 1998.

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

Vernon A. Williams

Secretary