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SERVICE DATE - SEPTEMBER 17, 1998

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 548X)

CSX TRANSPORTATION, INC.--ABANDONMENT EXEMPTION--
IN MONROE COUNTY, IN

Decided: September 15, 1998

A decision served on September 19, 1997, authorized CSX Transportation, Inc. (CSXT), to abandon a 4.26-mile portion of its railroad line known as the Louisville Service Lane, Monon Subdivision, extending from milepost Q-217.67 at Hunters to milepost Q-213.41 at the end of the track at Ellettsville, in Monroe County, IN.¹ The September 19, 1997 decision stated that, if consummation has not been effected by CSXT's filing of a notice of consummation by September 19, 1998, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire. 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.

On August 28, 1998, CSXT filed a request to extend, until March 19, 1999, the time to consummate the abandonment and to file its notice of consummation. CSXT states that it has been actively negotiating with the Monon Rail Preservation Corporation (MRPC) since late 1997 to sell the line for continued rail purposes, and maintains that additional time is needed to finalize the transaction. By letter filed September 9, 1998, MRPC supports the extension request.

CSXT has shown good cause to extend the time to consummate the abandonment and for filing a notice of consummation in this proceeding. Accordingly, 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 on or before March 19, 1999.

¹ This authorization was subject to a public use condition which has expired.

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3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary