

SERVICE DATE - JANUARY 28, 1997

SURFACE TRANSPORTATION BOARD¹

DECISION

Docket No. AB-55 (Sub-No. 519X)

CSX TRANSPORTATION, INC.
--ABANDONMENT EXEMPTION--
IN ORANGE COUNTY, FL

Decided: January 24, 1997

By decision served December 17, 1996, the Board directed CSX Transportation, Inc. (CSXT) and protesting shippers, Central Florida Lumber and Supply Company, d/b/a Mills & Nebraska Company, Industrial Equipment and Engineering Company, and Seacoast Supply Company to submit additional evidence in this proceeding on or before January 6, 1997. By decision served December 27, 1996, CSXT was granted an extension of time until January 27, 1997, to file its evidence.

By motion filed January 21, 1997, CSXT requests a second extension of time to February 18, 1997, to file its evidence. CSXT states that the Board's decision served December 17, 1996, in part, directed the railroad to provide an estimate of land value, along with supporting calculations, including comparable sales and disposition cost adjustment. CSXT further states that, in order to comply with the Board's directive, it was necessary for it to order an appraisal to be performed by an independent outside appraiser. CSXT adds that it has been informed that the appraisal will not be available until February 7, 1997, and notes that that information is also needed to perform an updated cost analysis for calendar years 1996 and 1997.

CSXT states that counsel for protestants concurs with this extension request. Accordingly, the request will be granted.

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

It is ordered:

1. CSX Transportation, Inc.'s extension request is granted.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This decision relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this decision applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.

2. Submission of additional evidence is due on February 18, 1997.

3. Replies to any such submittal is due on February 28, 1997.

4. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams
Secretary