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SERVICE DATE - OCTOBER 11, 2002

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 587X)

CSX TRANSPORTATION, INC.–ABANDONMENT
EXEMPTION–IN CLARK COUNTY, IN

Decided: October 7, 2002

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a .20-mile line of railroad between milepost B-40.60 and milepost B-40.80 at Charlestown, in Clark County, IN. Notice of the exemption was served and published in the Federal Register on April 27, 2001 (66 FR 21194-95). In the April 27 notice, the Board stated that, if consummation had not been effected by CSXT's filing of a notice of consummation by April 27, 2002, the authority to abandon would automatically expire.¹ 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 March 29, 2002, CSXT filed such an extension request. By decision served April 10, 2002, the due date for filing a notice of consummation was extended to October 25, 2002.

On September 25, 2002, CSXT filed a request to further extend, until April 25, 2003, the deadline for consummation of the abandonment and for filing its notice of consummation. 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.

¹ By decision served May 25, 2001, the proceeding was reopened at the request of the Board's Section of Environmental Analysis (SEA) and the exemption was made subject to the condition that CSXT retain its interest in the line until completion of the section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f. By decision served March 1, 2002, the section 106 historic preservation condition was removed.

2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before April 25, 2003.

3. This decision is effective on its service date.

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

Vernon A. Williams
Secretary