

29874  
DO

SERVICE DATE - DECEMBER 30, 1998

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB-167 (Sub-No. 1148)

CONSOLIDATED RAIL CORPORATION--ABANDONMENT--BETWEEN  
WALKERS MILL AND BURGETTSTOWN, IN ALLEGHENY AND WASHINGTON  
COUNTIES, PA

Decided: December 28, 1998

By decision and certificate of interim trail use or abandonment (CITU) served July 14, 1995, a 180-day period was authorized for National Pike Trail Council (NPTC) and Allegheny County, PA, to negotiate an interim trail use/rail banking agreement with Consolidated Rail Corporation (Conrail) for the 15.7-mile right-of-way between milepost 11.00 at Walkers Mill and milepost 26.7 at Burgettstown, in Allegheny and Washington Counties, PA. At NPTC's request, the 180-day trail use negotiating period was extended through December 31, 1998, by decisions served December 22, 1995, August 22, 1996, January 14, 1997, July 14, 1997, January 14, 1998, and July 10, 1998.

On December 11, 1998, NPTC filed another request for a 180-day extension of the trail use negotiating period stating that the additional time is needed to finalize the negotiations, sign documents, and complete the sales transaction. According to NPTC, all parties involved are near settlement and a final agreement is imminent. Conrail supports the extension request.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.<sup>1</sup> Under the circumstances, a further extension is warranted and will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the CITU negotiating period will be extended for an additional 180 days from December 31, 1998.

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

It is ordered:

1. The CITU negotiating period is extended through June 29, 1999.

---

<sup>1</sup> See Rail Abandonments - Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

Docket No. AB-167 (Sub-No. 1148)

2. This decision is effective on the date of service.

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

Vernon A. Williams  
Secretary