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SERVICE DATE - OCTOBER 9, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 598X)

CSX TRANSPORTATION, INC.–ABANDONMENT  
EXEMPTION–IN GREENBRIER COUNTY, WV

Decided: October 2, 2003

CSX Transportation, Inc. (CSXT) filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt Abandonments to abandon a 13.6-mile line of railroad between Rupert Junction at milepost CAH-7.2 and Clearco at milepost CAH-20.8 in Greenbrier County, WV. Notice of the exemption was served and published in the Federal Register on October 12, 2001 (66 FR 52180-81). The notice stated that, if consummation has not been effected by CSXT's filing of a notice of consummation by October 12, 2002, the authority to abandon would automatically expire.<sup>1</sup> By decisions served October 10, 2002, and April 9, 2003, the due date for filing a notice of consummation was extended to October 10, 2003.

On September 26, 2003, CSXT filed a request to further extend, until April 9, 2004, the time to consummate the abandonment and to file a 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.
2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before April 9, 2004.

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<sup>1</sup> By decision served November 7, 2001, the exemption was made subject to environmental and historic preservation conditions. By decision served January 2, 2002, the section 106 historic preservation condition was removed. The January 2 decision noted that the condition related to geodetic station markers remained.

3. This decision is effective on its service date.

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

Vernon A. Williams  
Secretary