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SERVICE DATE – LATE RELEASE MAY 19, 2011

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 384 (Sub-No. 2X)

DELTA SOUTHERN RAILROAD, INC.—ABANDONMENT EXEMPTION—IN EAST
CARROLL PARISH, LA.

Decided: May 19, 2011

This decision directs Delta Southern Railroad, Inc. (DSR) to file a status report.

DSR filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon 8 miles of rail line extending from milepost 463.0, near Shelburn, to milepost 471.0, which is approximately a mile south of Lake Providence, in East Carroll Parish, La. Notice of the exemption was served and published in the Federal Register on November 29, 2010 (75 Fed. Reg. 73,161-62).

Under the Board's rules, the exemption was scheduled to become effective on December 29, 2010, unless it was stayed by the Board or unless a formal expression of intent to file an offer of financial assistance (OFA) under 49 U.S.C. § 10904 and 49 C.F.R. § 1152.27(c)(2) was filed by December 9, 2010. On December 8, 2010, Lake Providence Port Commission (Lake Providence) filed a formal expression of intent to file an OFA to purchase the line, and simultaneously served the notice of intent on DSR. This filing automatically stayed the effective date of the exemption for 10 days, until January 8, 2011. 49 C.F.R. § 1152.27(c)(2)(i). In the filing, Lake Providence stated that, by letter dated December 7, 2010, it had requested DSR to provide Lake Providence with certain information and documentation set forth in 49 C.F.R. § 1152.27(a).

By decision served on December 28, 2010 (December 2010 decision), the time period for Lake Providence to submit an OFA was tolled until 10 calendar days after DSR notified the Board in writing that it had provided Lake Providence with the requested information and documentation. That decision also provided that the effective date of the exemption would be extended 10 calendar days after the due date for filing an OFA.

Since the December 2010 decision was issued, neither DSR nor Lake Providence has made any further filings with the Board. Accordingly, DSR shall file, by June 1, 2011, a report explaining the status of its provision of the requested information to Lake Providence.

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

It is ordered:

1. DSR shall file a status report as described above by June 1, 2011.
2. This decision is effective on its service date.

By the Board, Rachael D. Campbell, Director, Office of Proceedings.