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SERVICE DATE – OCTOBER 10, 2007

DO

FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-88 (Sub-No. 12X)]

Bessemer and Lake Erie Railroad Company—Abandonment Exemption—in Butler  
County, PA

On September 19, 2007, Bessemer and Lake Erie Railroad Company (B&LE) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903<sup>1</sup> to abandon a 3.67-mile line of railroad, between milepost 0.00 and milepost 3.67, in Branchton, Butler County, PA. The line traverses United States Postal Service Zip Codes 16020 and 16021, and includes the stations of Branchton Yard (milepost 0.00), Bovard (milepost 0.98), Nelsons (milepost 2.78) and Osbornes (milepost 3.62).

The line does not contain federally granted rights-of-way. Any documentation in B&LE's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by January 7, 2008.

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<sup>1</sup> Originally, B&LE also sought exemption from the Offer of Financial Assistance provisions of section 10904 and the Public Use provisions of section 10905. However, by facsimile filed on October 3, 2007, B&LE modified its filing to seek exemption from only section 10903.

Any OFA under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,300 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than October 29, 2007. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-88 (Sub-No. 12X), and must be sent to: (1) Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001; and (2) Thomas J. Healey, 17641 S. Ashland Ave., Homewood, IL 60430-1345. Replies to the petition are due on or before October 29, 2007.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 245-0230 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested

persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our website at  
“[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).”

Decided: October 3, 2007.

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

Vernon A. Williams

Secretary