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SERVICE DATE - OCTOBER 19, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-289 (Sub-No. 4X)]

The Central Railroad Company of Indianapolis--Discontinuance of Service Exemption--in
Clinton, Howard and Tipton Counties, IN

On September 29, 1998, The Central Railroad Company of Indianapolis (CERA) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903-10905¹ to discontinue service over two segments of railroad (the Kokomo Lines) owned by Norfolk and Western Railway Company (NW) extending from milepost I-41.0 near Tipton to milepost I-51.8 at Kokomo, and extending from milepost TS-183.7 at Kokomo to milepost TS-206.44 at Frankfort, a total distance of approximately 33.54 miles in Clinton, Howard and Tipton Counties, IN. As part of the exemption, CERA also seeks to discontinue incidental trackage rights (used at various points for interchange only) over approximately 4.54 miles of NW's trackage between milepost TS-206.44 and milepost TS-207.80 near Frankfort, between milepost I-39.76 and milepost I-41.0 near Tipton, and between milepost SP-209.28 and milepost SP-211.22 near

¹ CERA seeks exemption from the offer of financial assistance (OFA) subsidy provision of 49 U.S.C. 10904. This exemption request will be addressed in the final decision. CERA also seeks exemption from the public use provisions of 49 U.S.C. 10905. However, because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not applicable.

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Tipton, in Clinton and Tipton Counties, IN.² The Kokomo lines traverse U.S. Postal Service Zip Codes 46039, 46047, 46057, 46067, 46068, 46072, 46902, 46979 and 46995. The lines include the stations of West Middleton, Russiaville, Forest, Michigantown, Tipton, Jackson, Sharpsville, Fairfield and Marshall, IN.

The lines do not contain federally granted rights-of-way. Any documentation in NW'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 issuance of 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 15, 1999.

Unless an exemption is granted from the OFA provisions of 49 U.S.C. 10904, any OFA to subsidize continued rail service 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 \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

This proceeding is exempt from environmental reporting requirements under 49 CFR 1105.6(c) and from historic reporting requirements under 1105.8(b).

All filings in response to this notice must refer to STB Docket No. AB-289 (Sub-No. 4X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) Karl Morell,

² CERA desires to terminate service because NW has terminated its lease with CERA effective July 31, 1998. NW resumed providing all rail service on the lines as of August 1, 1998.

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Ball Janik, LLP, Suit 225, 1455 F Street, N.W., Washington, DC 20005.

Persons seeking further information concerning abandonment and discontinuance procedures may contact the Board's Office of Public Services at (202) 565-1592 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) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

Board decisions and notices are available on our website at
"WWW.STB.DOT.GOV."

Decided: October 9, 1998.

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

Vernon A. Williams

Secretary