

BEFORE THE SURFACE TRANSPORTATION BOARD
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C. 20423

ENTERED
Office of Proceedings
September 20, 2012
Part of Public Record

FINANCE DOCKET NO. 35609

NORTH LOUISIANA & ARKANSAS RAILROAD, INC.—LEASE AND OPERATION
OF LINES OF LAKE PROVIDENCE PORT COMMISSION

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 C.F.R. § 1150.41

Pursuant to 49 C.F.R. § 1150.41, et seq., North Louisiana & Arkansas Railroad, Inc. (“NLA”), a Class III common carrier by rail, hereby files this Verified Notice of Exemption to lease and operate a line of railroad owned by the Lake Providence Port Commission, a political subdivision of the State of Louisiana (“LPPC”) that is a non-carrier.

INFORMATION REQUIRED BY 49 C.F.R. § 1150.43

(a) The full name and address of the applicant:

North Louisiana & Arkansas Railroad, Inc.
4416 South Arkansas Ave.
Russellville, Arkansas 72802

(b) The name, address, and telephone number of the representative of the applicant who should receive correspondence:

Richard H. Streeter
Law Office of Richard H. Streeter
5255 Partridge Lane, N.W.
Washington, D.C. 20016

(c) A statement that an agreement has been reached or details about when an agreement will be reached:

NLA has reached an agreement with LPPC whereby NLA will lease a line of railroad between MP 454.8, at or near the Louisiana/Arkansas border, to MP

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471.0, at or near East Carroll Parish, Louisiana. A copy of the Lease Agreement is attached as Exhibit 1, which is filed under seal.

As part of the transaction, LPPC will assign certain trackage rights to operate over the line of the Delta Southern Railroad, Inc. (“DSL”). The trackage rights were acquired from DSL in *Lake Providence Port Commission—Trackage Rights Exemption—Delta Southern Railroad, Inc.* FD 35531 (STB served June 24, 2011). The trackage rights, which authorize operation between MP 471.0 and MP 472.25, allow LPPC to provide rail service to and over LPPC’s private side track and lead track, which serve the warehouses and dock at the LPPC port. A Verified Notion of Exemption is being filed concurrently. See, *North Louisiana & Arkansas Railroad, Inc.—Acquisition of Trackage Rights Exemption—Lake Providence Port Commission, Inc.* FD 35610.

NLA will commence operations on the line after Board authorization is obtained and the line is rehabilitated to the point that rail operations can be safely performed. At present, the line is impassable.

(d) The operator of the property:

NLA is a Class III common carrier by rail. Following completion of the needed rehabilitation, NLA will conduct rail freight operations over the trackage. NLA will interchange traffic with Union Pacific Railroad, Arkansas Midland Railroad Company and DSR.

(e) A brief summary of the proposed transaction, including:

(1) The name and address of the railroad transferring the subject property,

- (2) The proposed time schedule for consummation of the transaction,
 - (3) The mile-posts of the subject property, including any branch lines,
- and
- (4) The total route miles being acquired.

The trackage is being leased from LPPC, which is a non-carrier with respect to the 8.2-mile segment between milepost 454.8 at the Arkansas/Louisiana border and milepost 463.0 at Shelburn, LA, and which is a non-operating carrier with residual common carrier authority with respect to the 8.0-mile segment between milepost 463.0 and milepost 471, near Lake Providence that was acquired via an OFA. Its address is 409 Port Road, Lake Providence, Louisiana 71254. The initial term of the Railway Lease Agreement shall be for a ten (10) year period, beginning on the effective date of the Board's decision that approves NLA's operations on the subject tracks. The leased track consists of 17.45 miles of mainline track between milepost 454.8, at or near the Louisiana/Arkansas border, and milepost 471.0, at a point in East Carroll Parish, Louisiana.

- (f) A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and States.

See Exhibit 2 attached hereto.

- (g) A certificate that applicant's projected revenues do not exceed those that would qualify it as a Class III carrier.

NLA hereby certifies that its projected revenues do not exceed those that would qualify it as a Class III carrier. NLA further certifies that its projected

revenues are less than \$5 million. Therefore, no notice is required pursuant to the provisions of 49 C.F.R. § 1150.42(e).

(h) Transactions imposing interchange commitments.

The proposed transaction does not involve a provision or agreement limiting future interchange with a third-party connecting carrier as described in 49 C.F.R. § 1150.43(h).

A caption summary as required by 49 C.F.R. § 1150.44 is filed herewith.

Respectfully submitted,



Richard H. Streeter
Law Office of Richard H. Streeter
5255 Partridge Lane, N.W.
Washington, D.C. 20016
(202) 363-2011

Dated: September 20, 2012

VERIFICATION

I, Daniel B. Robbins, Vice President of North Louisiana & Arkansas Railroad, Inc., verify under penalty of perjury that the information contained in the foregoing Verified Notice of Exemption is true and correct to the best of my knowledge, information and belief. I further certify that I am qualified and authorized to file this Verified Notice of Exemption.



Daniel B. Robbins

F.D. No. 35609

North Louisiana & Arkansas Railroad, Inc.—Lease
and Operation of Lines of Lake Provident Port Commission

Exhibit 2

MAP

STB DOCKET NOS. FD 35608, 35609, AND 35610

MAPS (NOT TO SCALE)

