

ENTERED

Office of Proceedings

BEFORE THE SURFACE TRANSPORTATION BOARD October 11, 2012

Public Record

FINANCE DOCKET NO. 35682

DECATUR JUNCTION RAILWAY CO.
- ACQUISITION AND OPERATION EXEMPTION -
LINE OF ILLINOIS CENTRAL RAILROAD COMPANY
IN MACON COUNTY, ILLINOIS

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 CFR 1150.41

NOTICE OF OPERATION OF RAIL LINES
INFORMATION REQUIRED BY 49 CFR 1150.43

Daniel A. LaKemper, Esq.
General Counsel
Decatur Junction Railway Co.
1318 S. Johanson Road
Peoria, Illinois 61607
Tel.: (309) 697-1400

Dated: October 11, 2012

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO.35682

DECATUR JUNCTION RAILWAY CO.
--ACQUISITION AND OPERATION EXEMPTION--
LINES OF ILLINOIS CENTRAL RAILROAD COMPANY
IN MACON COUNTY, ILLINOIS

VERIFIED NOTICE OF EXEMPTION

Pursuant to 49 C.F.R. §1150.41, et. seq., Decatur Junction Railway Co. ("DJR"), a Class III Carrier, hereby files this Verified Notice of Exemption to acquire and operate Illinois Central Railroad's rail line between Milepost 745.54, at/near Elwin, Illinois, and Milepost 749.94, in/near Decatur, Illinois, a distance of approximately 4.4 miles in Macon County, Illinois, as shown on the map attached hereto as Exhibit A (the "Line"). Based on projected revenues for the Lines, DJR expects to remain a Class III rail carrier after consummation of the transaction proposed herein.

In accordance with the requirements of 49 C.F.R. §1150.43, DJR submits the following information:

Name and Address of Applicant: 49 C.F.R. §1150.43(a)

The full name and address of the applicant herein is as follows:

Decatur Junction Railway Co.
1318 S. Johanson Road
Peoria, IL 61607

Applicant's Representative: 49 C.F.R. §1150.43(b)

The name, address and telephone number of the representative of the applicant who should receive correspondence is as follows:

Daniel A. LaKemper, General Counsel
Decatur Junction Railway Co.
1318 S. Johanson Road
Peoria, Illinois 61607

Statement Concerning Agreement: 49 C.F.R. §1150.43(c)

DJR has reached agreement with Illinois Central Railroad Company ("IC"), providing for DJR to purchase and operate the Line.

Operation of the Property: 49 C.F.R. §1149.43(d)

DJR will operate, maintain and provide all rail common carrier services on the Line.

Brief Summary of the Transaction: 49 C.F.R. §1150.43(e):

Pursuant to the Agreement with IC, DJR proposes to purchase, operate, maintain, and perform all common carrier service on the Line. The Agreement contains no restrictions on interchange.

DJR currently leases and operates the trackage south of Mile Post 745.54, connecting with the Line, and extending to Milepost 728.0 at/near Assumption, Illinois (**See Finance Docket No. FD-32365, Served October 18, 1993, as corrected by notice served October 26, 1993, Decatur Junction Railway Co. – Lease and Operation Exemption – Lines in Illinois**).

DJR currently has incidental trackage rights over the Line, and over the IC trackage north of Milepost 749.94, for purposes of interchange with IC at Decatur, Illinois, and transit of DJR equipment to DJR's line between Decatur, Illinois and Cisco, Illinois. DJR will continue to have such incidental trackage rights over IC's trackage north of MP 749.94 after the consummation of this transaction.

DJR will operate the Line as part of its existing rail line between Assumption and Elwin, Illinois.

Other Information .

- (1) The name and address of the railroad transferring the subject property to the Class III rail carrier applicant:

Illinois Central Railroad Company
17641 South Ashland Avenue
Homewood, Illinois 60430

- (2) The proposed time schedule for consummation of the transaction:

Consummation of this transaction will occur on or about November 12, 2012, or upon the effective date of this exemption, if later, and operations under this exemption will begin thereafter.

- (3) The mileposts of the subject property:

The Line extends from Milepost 745.54, at/near Elwin, Illinois to Milepost 749.94, in/near Decatur, Illinois, a distance of approximately 4.4 miles in Macon County, Illinois;

(4) The total route miles being acquired:

The length of the mainline trackage of the Lines is approximately 4.4 miles.

Map: 49 C.F.R. §1150.43(f):

A map showing the Line and the surrounding trackage is attached as Exhibit A of this Notice.

Certificate of Compliance: 49 C.F.R. §1150.43(g):

A Certificate of Compliance with the provisions of 49 C.F.R. §1150.33(g) is attached as Exhibit B to this Notice.

Environmental and Historic Preservation Data: 49 C.F.R. §1105:

Under 49 C.F.R. §1105(c)(2), GASR's proposed acquisition and operation of the Line is exempt from environmental reporting requirements. The proposed transaction will not result in significant changes in carrier operations, *i.e.*, changes that exceed the thresholds established in 49 C.F.R. §1105.7(e)(4) or (5).

Under 49 C.F.R. §1105.8(b)(1), DJR's acquisition and operation of the Line is also exempt from historic preservation reporting requirements. The proposed lease is for the purpose of continued rail operations. Further Surface Transportation Board approval is required to discontinue or abandon service, and there are no plans to dispose of or alter properties subject to Board jurisdiction that are fifty years old or older.

Caption Summary: 49 C.F.R. §1150.44:

A caption summary in appropriate form is attached as Exhibit C to this Notice.

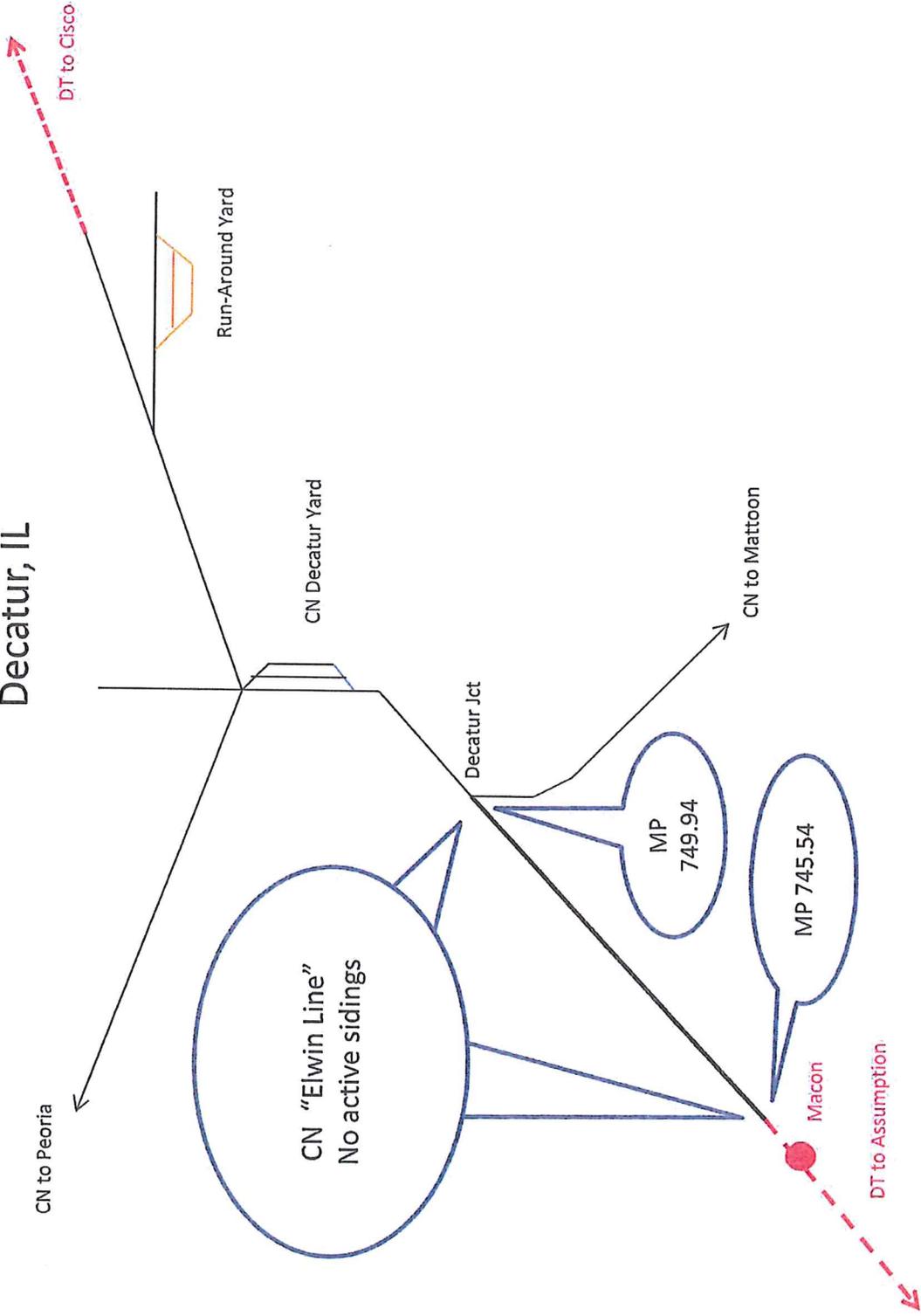
Pursuant to 49 USC §10902(d), no labor protection is required by the action described in this Notice. The Applicant certifies that the projected annual revenue on the Line is less than \$5 Million.

Respectfully submitted,



Daniel A. LaKemper, Esq.
General Counsel
Decatur Junction Railway Co.
1318 S. Johanson Road
Peoria, Illinois 61607
Tel.: (309) 697-1400

CN Elwin Line Decatur, IL



SURFACE TRANSPORTATION BOARD

Notice of Exemption

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DECATUR JUNCTION RAILWAY CO.
-ACQUISITION AND OPERATION EXEMPTION-
LINE OF ILLINOIS CENTRAL RAILROAD COMPANY
IN MACON COUNTY, ILLINOIS

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 CFR 1150.41

Decatur Junction Railway Co. (“DJR”) has filed a notice of exemption, pursuant to 49 CFR 1150.41, et. seq., Exempt Transactions, with the Surface Transportation Board, to acquire and operate the rail line owned by Illinois Central Railroad Company between Milepost 745.54, in/near Elwin, and Milepost 749.94, in/near Decatur, all in Macon County, Illinois, a distance of approximately 4.4 miles.

DJR certifies that its projected annual revenues as a result of this transaction would not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues on this Line will not exceed \$5 million.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Petitions to revoke the exemption under 40 U.S.C. §10502(d) may be filed at any time. The

filing of a petition to revoke will not automatically stay the effectiveness of this exemption.

Petitions to stay must be filed no later than November ____, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to FD 35682 must be filed with the Surface Transportation Board, 395 E Street, S.W., Washington D.C. 20423-0001. In addition, one copy of each pleading must be served on Daniel A. LaKemper, Esq., General Counsel, Decatur Junction Railway Co., 1318 S. Johanson Road, Peoria, Illinois 61607, Telephone (309) 697-1400.

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

Decided:

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