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October 15, 2015
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JACK E. DODD
RAIL BUSINESS CONSULTANT

October 13, 2015

Ms. Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
1395 E Street S.W.
Washington, DC 20423

Re: Docket No. AB-1237, New Hampshire Department of Transportation - Abandonment Exemption-
Between Littleton, NH and Bethlehem, NH

Dear Ms. Brown:

Attached for filing are the original and ten copies of a Notice of Exemption under 49 C.F.R. 1152.50.
Also attached is a check covering the \$3,800 filing fee.

If you have any questions, please call me

Sincerely,

Jack E. Dodd

Enclosures

FEE RECEIVED
October 15, 2015
SURFACE
TRANSPORTATION BOARD

FILED
October 15, 2015
SURFACE
TRANSPORTATION BOARD

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BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 1237

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION
-ABANDONMENT EXEMPTION-
BETWEEN LITTLETON, NH AND BETHLEHEM, NH

NOTICE OF EXEMPTION

Jack E. Dodd
Rail Business Consultant
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BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB 1237

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION
-ABANDONMENT EXEMPTION-
BETWEEN LITTLETON, NH AND BETHLEHEM, NH

NOTICE OF EXEMPTION

New Hampshire Department of Transportation ("NHDOT") files this Verified Notice of Exemption pursuant to the class exemption at 49 C.F.R. § 1152.50 to abandon 6.86 miles of rail lines located between Station 995+66 to Station 1359+77, between Industrial Drive in Littleton, NH, and a point 3.35 miles east of the Littleton, NH/Bethlehem, NH town line. A map showing the subject line is attached as Exhibit A.

1. **Proposed Consummation Date.** The proposed consummation date is on or shortly after the effective date of this Notice of Exemption.
2. **Certification required by 49 C.F.R. § 1152.50(b).** The required certification is attached hereto as Exhibit B.
3. **Information required by 49 C.F.R. § 1152.22(a)(1) through (4), (7), and (8), and (e)(4).**

(a) General.

(1) Exact name of applicant. New Hampshire Department of Transportation

(2) Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle

IV, Chapter 105. NHDOT is not a common carrier by railroad subject to 49

U.S.C. Subtitle IV, Chapter 105.

(3) Relief sought.

NHDOT seeks to use the class exemption at 49 C.F.R. § 1152.50 to abandon 6.86 miles of rail line located between Station 995+66 to Station 1359+77, between Industrial Drive in Littleton, NH, and a point 3.35 miles east of the Littleton, NH/Bethlehem, NH town line. There has been no local traffic on the Line in over two years and any overhead traffic can be rerouted over other rail lines.

(4) Map.

A Map depicting the trackage covered by the proposed abandonment and discontinuance is attached as Exhibit A.

(5) Name, title, and address of representative of applicant to whom correspondence should be sent.

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(6) List of all United States Postal Service ZIP Codes that the lines proposed for abandonment traverses.

The Line traverses U.S. ZIP Code Codes 03561 and 03574.

(7) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

The Line runs through rural land and part of Littleton village. There are adequate road and highway networks in the vicinity. Therefore, there is little or no likelihood that the rail corridor is needed for transit or highway corridor. The right-of-way is suitable for recreational trails.

(4) The level of labor protection.

There are no railroad employees on the Line. Thus, labor protection as provided in *Oregon Short Line R. Co. -Abandonment- Goshen, 360 I.C.C. 91 (1979)* is not applicable.

(5) Certification.

The Line is located solely in the State of New Hampshire. No traffic has moved over the Line for well over two years, in fact since 1998. The Line has no connection with other railroads in the area. State agencies with interests in this proceeding (NHDOT, New Hampshire Department of Resources and Economic Development and others) are already aware of and involved in this proceeding. Thus, no certifications have been made or will have to be made.

(6) and (7) Environmental and Historic Reports.

The Environmental and Historic Reports containing information required by 49 C.F.R. § 1105.7(e) and § 1105.8 were filed with the Board on September 17, 2015. Based on information in our possession, the Line does not contain federally granted rights-of-way. Any documentation in the NHDOT's possession will be made available promptly to those requesting it.

Respectfully submitted,

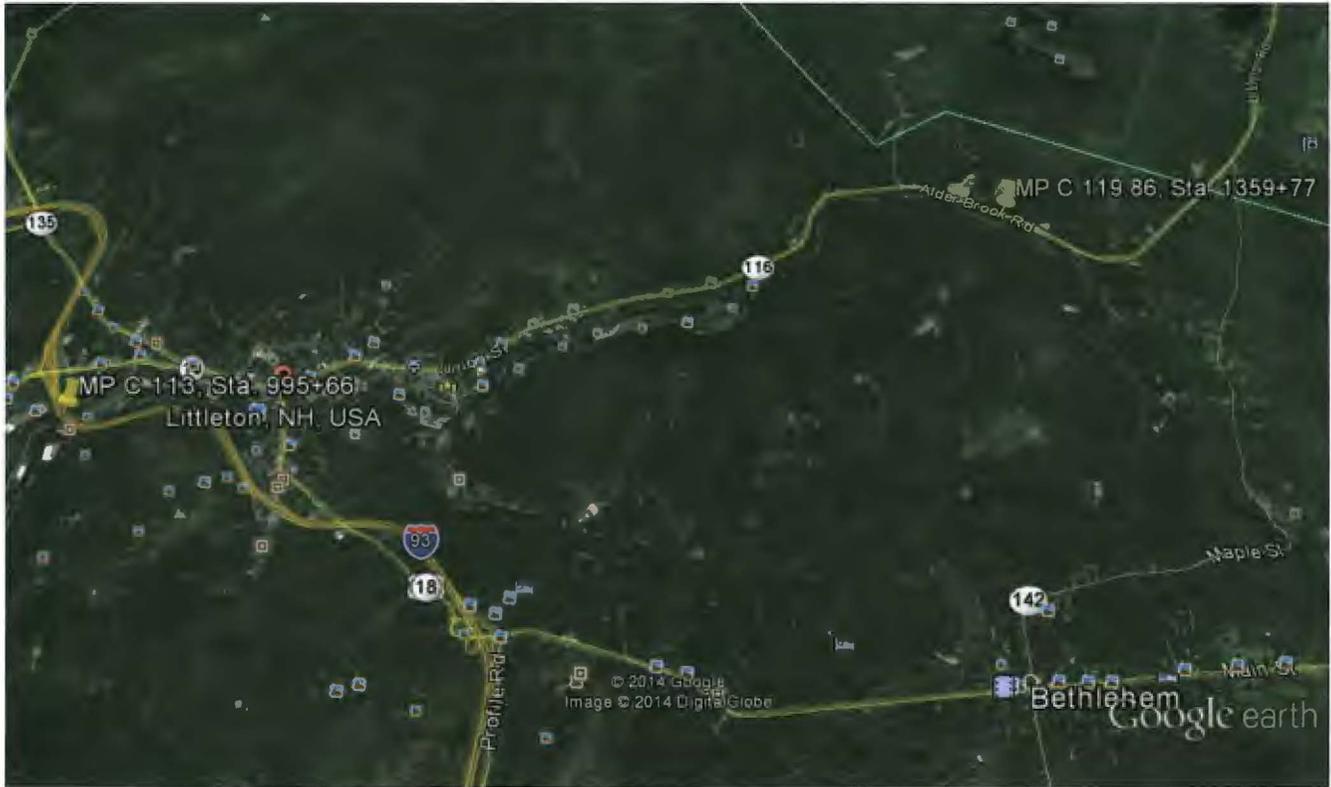
Jack E. Dodd

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EXHIBIT A

**73 Bishop Street
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State-owned Berlin Branch Railroad Corridor – Proposed abandonment MP C 113, Station 995+66 to MP C 119.86, Station 1359+77

Towns of Littleton and Bethlehem, NH

EXHIBIT B

**73 Bishop Street
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VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.5(b)

STATE OF NEW HAMPSHIRE

COUNTY OF MERRIMACK

AFFIDAVIT OF WILLIAM CASS

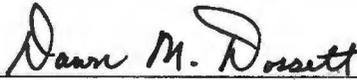
I, William Cass, Assistant Commissioner and Acting Commissioner at the New Hampshire Department of Transportation, for the State of New Hampshire ("the State"), applicant herein, hereby verify on behalf of the State, under penalty of perjury, that the facts pertaining to the State as set forth in the foregoing Notice of Exemption are true and correct to the best of my knowledge, information, and belief. In addition, I hereby certify that I am qualified and authorized to tender this Verification.



William Cass, P.E.
Assistant Commissioner at NH Department of Transportation

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

On this 21st day of September, 2015, personally appeared William Cass, P.E., before me the undersigned officer, and made solemn oath that the foregoing statements are true to the best of his knowledge and belief.



~~Justice of the Peace~~/Notary Public

DAWN M. DOSSETT
Notary Public-New Hampshire
My Commission Expires Sept. 20, 2016

EXHIBIT C

**73 Bishop Street
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9/25/15

NOTICE

New Hampshire Department of Transportation (NHDOT) hereby gives notice that on or after September 28, 2015, it will file a Notice of Exemption under 49 CFR 1152 Subpart F - Exempt Discontinuances - permitting the abandonment of a line of railroad between Industrial Drive in Littleton, NH and the Littleton-Bethlehem town line, or approximately between Stations 995+66 and 1359+77. The line traverses United States Postal Service Zip Codes 03561 and 03574. The proceeding has been assigned Docket Number AB-1237 by the Surface Transportation Board (STB).

The Board's Office of Environmental Analysis (OEA) will generally prepare an Environmental Assessment (EA) which will be normally available twenty-five (25) days after filing of the Notice of Exemption. Comments on environmental and energy matters should be filed no later than fifteen (15) days after the EA becomes available to the public and is addressed in the Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to OEA, Surface Transportation Board, Washington, DC 20423, or by calling the OEA at 202-245-0296.

Appropriate offers of financial assistance to continue rail service may be filed with the Board. Requests for environmental conditions, public use conditions or rail banking/trail use can be filed with the Board. An original and ten (10) copies of any pleading that raises matters other than environmental issues must be filed with the Board's Section of Administration, Office of Proceedings, 396 E Street S. W., Washington, D. C. 20423 and one (1) copy must be served on Petitioner's representative. Questions regarding offers of financial assistance, public use or trail use may be directed to the Board's Office of Public Assistance, Governmental Affairs and Compliance, at 202-245-0278. Copies of comments or requests for conditions should be served on Petitioner's representative: Jack E. Dodd, Rail Business Consultant, 73 Bishop Street, Saint Albans, VT 05478.

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