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ENTERED
Office of Proceedings
March 10, 2015
Part of
Public Record

VIA HAND DELIVERY

March 10, 2015

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20423



Re: *STB Docket No. FD 35909—Signal Specialties, Inc.—Acquisition and Operation Exemption—Line in Buchanan County, MO*

Dear Ms. Brown:

Enclosed for filing the above captioned proceeding is the original and ten copies of the CORRECTED Verified Notice of Exemption of Signal Specialties, Inc., dated March 10, 2015. A check in the amount of \$1,800.00, representing the appropriate filing fee for the Verified Notice of Exemption, was enclosed with the February 23 filing.

If you have any questions, please contact me.

Respectfully submitted,

Kevin M. Sheys
Attorney for Signal Specialties Inc.

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35909

**SIGNAL SPECIALTIES, LLC—ACQUISITION AND OPERATION EXEMPTION—
LINE IN BUCHANAN COUNTY, MO**

**VERIFIED NOTICE OF EXEMPTION OF SIGNAL SPECIALTIES, INC.
PURSUANT TO 49 C.F.R. § 1150.31**

Kevin M. Sheys
Katherine C. Bourdon
Nossaman LLP
1666 K Street NW, Suite 500
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(202) 887-1400

Counsel for Signal Specialties, Inc.

March 10, 2015

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35909

SIGNAL SPECIALTIES, INC.—ACQUISITION AND OPERATION EXEMPTION—
LINE IN BUCHANAN COUNTY, MO

VERIFIED NOTICE OF EXEMPTION OF SIGNAL SPECIALTIES, INC.
PURSUANT TO 49 C.F.R. § 1150.31

Signal Specialties, Inc. (“SSI”) a non-carrier, files this Notice of Exemption pursuant to 49 C.F.R. 1150, Subpart D—Exempt Transactions, to permit SSI to acquire from Transit America, LLC (“TA, LLC”) trackage rights and operate over approximately 1650 feet of track (“Subject Line”) in Buchanan County, Missouri. There are no milepost designations on the Subject Line.

In support of this Notice of Exemption, SSI submits the following information as required by 49 C.F.R. § 1150.33:

Name and address of the applicant: 49 C.F.R. § 1150.33(a)

Signal Specialties, Inc.
600 South Riverside Road
St. Joseph, Missouri 64507

Name, address, of Applicant’s Representative: 49 C.F.R. § 1150.33(b)

Kevin M. Sheys
Nossaman LLP
1666 K Street NW, Suite 500
Washington, DC 20006
(202) 887-1400

Statement of Agreement:

49 C.F.R. § 1150.33(c)

SSI will enter into a Trackage Rights Agreement with TA, LLC to operate on the Subject Line, which is owned by TA, LLC.

Operation of the Property:

49 C.F.R. § 1150.33(d)

SSI will acquire the trackage rights and operate on the Subject Line on or soon after the date this Verified Notice of Exemption becomes effective.

Summary of the Proposed Transaction:

49 C.F.R. § 1150.33(e)

The Subject Line was part of the railroad line extending between St. Joseph, Missouri and Laclede, Missouri that was abandoned by the Burlington Northern Railroad Company in the mid-1980's. *See Burlington N. R.R. Co. Abandonment between Laclede and St. Joseph, in Linn, Buchanan, Clinton, DeKalb, Caldwell and Livingston Counties, MO, AB 6 (Sub No. 213X) (ICC served Oct. 18 1984).* TA, LLC acquired the right, title and interest to and commenced operations on a portion of that abandoned rail line east of St. Joseph from Herzog Contracting Corporation, a limited liability member of TA, LLC. *See Transit America, LLC – Operation Exemption – Line in Buchanan, County, MO, FD 34253 (STB served Oct. 17, 2002).* SSI now seeks to enter into a Trackage Rights Agreement with TA, LLC on the Subject Line, which runs along the Easton-Saxton Road and connects to the BNSF main line on the west end and track owned by Herzog Contracting Corporation on the east end.

Map:

49 C.F.R. § 1150.33(f)

A map of the trackage rights line is attached as Exhibit A.

Certificate of Class III Status:

49 C.F.R. § 1150.33(g)

SSI certifies that its projected annual freight revenues will not exceed those that would qualify it as a Class III carrier. SSI's projected annual freight revenues will not exceed \$5 million. See Exhibit B.

Interchange Commitments:

49 C.F.R. § 1150.33(h)

SSI certifies that the Trackage Rights Agreement does not include a provision or agreement that may limit future interchange with a third-party connecting carrier.

Environmental and Historic Impacts:

49 C.F.R. § 1105

Under 49 C.F.R. part 1105.6(c)(2)(i), the proposed operation of the Subject Line by SSI is exempt from environmental permitting requirements because it will not result in significant changes in carrier operations (i.e., changes which exceed the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5)).

Under 49 C.F.R. 1105.8(b)(3), the proposed acquisition of trackage rights and operation of the Subject Line by SSI also is exempt from historic preservation reporting requirements. SSI's acquisition of the Subject Line is for the purpose of providing rail operations thereon. Further Surface Transportation Board approval is required to abandon any service, and there are no plans to dispose of or alter properties subject to Board jurisdiction that are fifty years old or older.

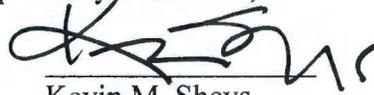
Caption Summary:

49 C.F.R. § 1150.34

A caption summary required by 49 C.F.R. §1150.34 is attached as Exhibit C.

Respectfully Submitted,

By:



Kevin M. Sheys
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1666 K Street NW, Suite 500
Washington, DC 20006
(202) 887-1400

Attorneys for Signal Specialties, Inc.

Dated: March 10, 2015

EXHIBIT A

The yellow line designates the Subject Line.



CERTIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF BUCHANAN)

I, Brad Lager, being duly sworn depose and state that I am duly authorized to file this certification on behalf of Signal Specialties, Inc. ("SSI") and I hereby certify that the projected annual freight revenue of SSI will not exceed \$5 million.

Brad Lager
Signed

SUBSCRIBED AND SWORN TO before me this day 9th of March, 2015, in the County of Buchanan, State of Missouri.

My Commission Expires: 6/21/17

Lorrie A. Smiley
Notary Public



SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35909

SIGNAL SPECIALTIES, LLC—ACQUISITION AND OPERATION EXEMPTION—
LINE IN BUCHANAN COUNTY, MO

Signal Specialties, Inc., a non-carrier, has filed a Verified Notice of Exemption to acquire trackage rights on and operate a rail line in Buchanan County, Missouri. Comments must be filed with the Board and served on Kevin M. Sheys, Nossaman LLP, 1666 K Street NW, Suite 500, Washington, DC 20006, (202) 887-1453.

This notice is filed under 49 C.F.R. 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Date: _____, 2015

By the Board

