

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36430]

**R. J. Corman Railroad Company/
Owego & Harford Line, Inc.—Modified
Certificate of Public Convenience and
Necessity**

On August 19, 2020, R. J. Corman Railroad Company/Owego & Harford Line, Inc. (RJOH),¹ a noncarrier subsidiary of R. J. Corman Railroad Company, LLC (RJCR), filed a notice for a modified certificate of public convenience and necessity under 49 CFR part 1150 subpart C—*Modified Certificate of Public Convenience and Necessity*, to permit RJOH to operate over a rail line owned by the Tioga County Industrial Development Agency (TCIDA), a public agency and political subdivision of the State of New York, located between milepost 0.0 at Owego, N.Y., and milepost 27.6 at North Harford, N.Y. (the Line).²

RJOH states that the Line was authorized for abandonment in 1976 and sold to TCIDA in 1981 for continued rail service, and has been operated by the Owego & Harford Railway, Inc. (Owego & Harford), pursuant to a modified rail certificate. (Notice 3, 5.) See *Owego & Harford Ry.—Modified Rail Certificate*, FD 32063 (ICC served May 15, 1992).

According to the notice, RJOH will provide rail service pursuant to an Operating Agreement between Owego & Harford and TCIDA, dated February 13, 2013, which is being assigned to and assumed by RJOH as part of its purchase

¹ On August 27, 2020, RJCR and RJOH filed a letter in this and a related docket with additional information relating to a change in RJOH's corporate status from limited liability company to corporation.

² RJCR is a noncarrier and wholly owned subsidiary of R. J. Corman Railroad Group, LLC (RJRG). In a related proceeding, RJCR and RJRG have filed a verified notice of exemption to continue in control of RJOH upon its becoming a Class III rail carrier. See *R. J. Corman R.R.—Continuance in Control Exemption—R. J. Corman R.R./Lehigh Line, et al.*, Docket No. FD 36431. This transaction is also related to the following concurrently filed notices: (1) *R. J. Corman R.R./Lehigh Line—Change in Operators Exemption with Interchange Commitment—Lehigh Ry., et al.*, Docket No. FD 36428, in which R. J. Corman Railroad Company/Lehigh Line, LLC, seeks authority to assume the lease and operation of 56.0 miles of rail line and related industrial track in Bradford and Wyoming Counties, Pa.; and (2) *R. J. Corman R.R./Luzerne & Susquehanna Line—Change in Operators Exemption—Luzerne and Susquehanna Ry. et al.*, Docket No. FD 36429, in which R. J. Corman Railroad Company/Luzerne & Susquehanna Line, LLC, seeks authority to assume the lease and operation of approximately 41.19 miles of rail line in Luzerne and Lackawanna Counties, Pa. The Board sought additional information relating to certain of these transactions by decision served September 17, 2020.

of the material assets of Owego & Harford. (Notice 6.)

The Line qualifies for a modified certificate of public convenience and necessity. See *Common Carrier Status of States, State Agencies & Instrumentalities & Political Subdivisions*, FD 28990F (ICC served July 16, 1981); 49 CFR 1150.22. RJOH states that no subsidy is involved and that there will be no preconditions that shippers must meet to receive service. RJOH's notice also includes a certificate of liability insurance coverage. (Notice Ex. C.)

This notice will be served on the Association of American Railroads (Car Service Division), as agent for all railroads subscribing to the car-service and car-hire agreement, at 425 Third Street SW, Suite 1000, Washington, DC 20024; and on the American Short Line and Regional Railroad Association at 50 F Street NW, Suite 500, Washington, DC 20001.

Board decisions and notices are available at www.stb.gov.

Decided: November 2, 2020.

By the Board, Allison C. Davis, Director,
Office of Proceedings.

Brendetta Jones,
Clearance Clerk.

[FR Doc. 2020–24663 Filed 11–5–20; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. FD 36446]

**DFW & Southern Railway Company—
Operation Exemption—Rail Line at
MidTexas International Center**

DFW & Southern Railway Company (DFW), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate over approximately 18.2 miles of trackage at the MidTexas International Center (Inland Port), located north of State Highway 287 and east of U.S. Highway 67 in Midlothian, Tex. (the Line).

DFW states that it intends to execute an operating agreement with Texas Properties Trust, the owner of the Line, to provide common carrier service over the Line. DFW also states that, prior to commencing operations over the Line, it intends to enter into service agreements with various parties to provide interchange, haulage, and switching services over the Line. DFW states that another rail carrier, Texas Central Business Lines Corporation (TCB), currently provides common carrier service over the Line¹ and that, prior to

¹ See *Tex. Cent. Bus. Lines Corp.—Operation Exemption—MidTexas Int'l Ctr.*, FD 33997 (STB

commencing operations over the Line, DFW will enter into agreements with TCB for joint use and operating protocols over the Line.

DFW certifies that its projected annual revenues as a result of the transaction will not exceed \$5 million and will not result in the creation of a Class I or Class II carrier. DFW also certifies that the agreements to be executed will not include any provision limiting DFW's future interchange of traffic with a third-party connecting carrier.

The transaction may be consummated on or after November 22, 2020, the effective date of the exemption.

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than November 13, 2020 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36446, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on DFW's representative, L. Randall Denton, P.O. Box 80, Midlothian, TX 76065.

According to DFW, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

Board decisions and notices are available at www.stb.gov.

Decided: November 2, 2020.

By the Board, Allison C. Davis, Director,
Office of Proceedings.

Regena Smith-Bernard,
Clearance Clerk.

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served Feb. 9, 2001) (authorizing TCB to operate over five miles of track at Inland Port). In a supplement filed on October 23, 2020, DFW provided additional information regarding the Line, including that additional track was built at Inland Port after the 2001 proceeding.