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302699

July 9, 2021

VIA E-FILING

Cynthia T. Brown, Chief
Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001

**ENTERED
Office of Proceedings
July 9, 2021
Part of
Public Record**

Re: C&NC Railroad, LLC – Discontinuance Exemption – In Wayne and
Henry Counties, Indiana

Dear Ms. Brown:

Pursuant to 49 C.F.R. Part 1152, Subpart G – Special Rules Applicable to Petitions for Abandonments Filed Under the 49 U.S.C. 10502 Exemption Procedure, we are submitting for e-filing a petition for exemption by C&NC Railroad, LLC to discontinue service over approximately 21 miles of Norfolk Southern Railway Company owned rail line located in Wayne County and Henry Counties, Indiana. The Line extends from milepost CB 5.4 (at Beesons, IN) to milepost 25.30 (at New Castle, IN) and milepost R 0.1 to milepost R 1.16 (at New Castle, IN) ("Line").

Finally, pursuant to 49 C.F.R. § 1002.2(f)(21)(iii), the required filing fee of \$8,100.00 has been paid on pay.gov. If there are any questions about this matter, please contact me at (412) 471-1800 or by e-mail at wstewart@vuonogray.com.

Sincerely,

/s/ William H. Stewart III, Esq.

**FILED
July 9, 2021
SURFACE TRANSPORTATION
BOARD**

William H. Stewart III, Esq.
Attorney for C&NC Railroad, LLC

**FEE RECEIVED
July 9, 2021
SURFACE
TRANSPORTATION BOARD**

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1093 (Sub-No. 2X)

C&NC RAILROAD, LLC –DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

PETITION FOR EXEMPTION

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(412) 471-1800
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Dated: July 9, 2021

Before the
SURFACE TRANSPORTATION BOARD

AB-1093 (Sub-No. 2X)

C&NC RAILROAD, LLC – DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

PETITION FOR EXEMPTION

I. INTRODUCTION

C&NC Railroad, LLC (“C&NC”) hereby petitions for an exemption under 49 U.S.C. §10502 from the provisions of 49 U.S.C. §10903 to enable C&NC to discontinue service over approximately 21 miles of Norfolk Southern Railway Company (“NSR”) owned rail line from M.P. CB 5.4 (at Beesons, IN) to M.P. 25.30 (at New Castle, IN), and from M.P. R 0.1 to M.P. R 1.16 at New Castle, IN (the “Line”), as shown on the map attached hereto as Exhibit A. In support of its request for exemption, C&NC represents as follows:

Background of Proposed Discontinuance

Since 1997, C&NC has leased and operated the NSR-owned Line pursuant to a Lease Agreement with NSR effective March 11, 2011, as amended by an Amendment #1 to Lease Agreement effective October 20, 2014 (the “Lease”). During the duration of the Lease, NSR had residual common carrier authority for the Line and upon discontinuance of C&NC’s operations NSR’s common carrier obligation and responsibility for the Line is expected to be revived.

Pursuant to the terms of the Lease, NSR has provided notice to C&NC that the Lease is being terminated. C&NC is filing this Petition in conjunction with the termination of the Lease and seeking authority to discontinue service over the Line. NSR has advised C&NC that it will resume rail operations over the Line upon the discontinuance of service by C&NC. C&NC and

NSR are cooperating in preparing for an orderly transition of service, so that there should be no interruption in rail service.

Because C&NC has provided common carrier service within the past two years, the discontinuance is not eligible for the two-year-of-service class exemption set forth in 49 C.F.R. 1152.50. However, because there will be no interruption of service to shippers, the discontinuance will not have any adverse impact on shippers and the Board should grant an individual exemption for the discontinuance as requested herein.

II. INFORMATION IN SUPPORT OF PETITION

The Line traverses United States Postal Zip Code territories 47327, 47357, 47362, 47366, 47331 and 47387. C&NC has no information indicating that the Line contains federally granted rights-of-way. Should C&NC discover any information regarding federally granted rights-of-way, such information will be made available upon request.

Discontinuance of Service Over the Line Should be Exempted

The discontinuance of service by C&NC over the Line would require authorization pursuant to 49 U.S.C. §10903 unless the exemption requested herein is granted. The Board is directed by 49 U.S.C. §10502 to grant an exemption if it finds that: (1) regulation is not necessary to carry out the rail transportation policy of 49 U.S.C. §10101, and; (2) either the transaction is limited in scope or regulation is not needed to protect shippers from the abuse of market power.

Under 49 U.S.C. §10502 and 49 C.F.R. 1152.60, there is no requirement for a carrier to submit all of the detailed financial data that would be required if discontinuance authority were being sought under 49 U.S.C. §10903 and the regulations relating thereto. Indeed, there is no

specific requirement that any financial data be submitted.¹ This is particularly appropriate in this case where the discontinuance is being sought in conjunction with the termination of the Lease Agreement, and where the owner of the rail line is expected to resume providing the rail service. Since there will be no interruption in service, it is clear that the proposed exemption meets the criteria for an exemption under Section 10502.

This discontinuance of service by the Line's current operator and expected resumption of service by the Line's owner does not require detailed scrutiny to carry out the rail policies of 49 U.S.C. §10101,² and is in keeping with the Board's overall policy of removing unnecessary regulatory barriers from carriers. Common carrier rail service is expected to be continued without interruption. Approval of the requested exemption under 49 U.S.C. §10502 would enable C&NC to discontinue service (and for NSR to commence rail service under its existing PC&N common carrier authority) over the Line without the extensive costs and delays that would otherwise occur if an application were required to be filed under Section 10903. Further, granting the exemption is in keeping with the following rail policies described in 49 U.S.C. §10101:

(2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;

¹ Requirements to the contrary would run counter to the principal goals of an exemption proceeding. As the Interstate Commerce Commission ("ICC") found with respect to the two year of-of-service class exemption under 49 C.F.R. §1152.50: "The exemption process now relieves carriers from the need to prepare the costing and valuation studies that are required for Section 10903 abandonment applications. This saves the carriers considerable time and money and allows for expeditious regulatory relief." *Exemption of Rail Line Abandonments or Discontinuance – Offers of Fin. Assistance*, 4 I.C.C. 2d 164 (1987).

² See, e.g., *Minn. N. R.R., Inc. Abandonment Exemption - In Red Lake and Polk Counties, MN*, AB-497 (Sub-No. 1X) 1997 S.T.B. LEXIS 291, at *7, (S.T.B. served Nov. 14, 1997); see also *La. & Delta R.R., Inc. – Abandonment Exemption In Lafourche and Assumption Parishes, LA*, AB-318 (Sub-No 4X) 1997 S.T.B. LEXIS 205, at *3 (S.T.B. served Aug. 26, 1997).

(3) to promote a safe and efficient rail transportation system by allowing fail carriers to earn adequate revenues...

(5) to foster sound economic conditions in transportation...

(7) to reduce regulatory barriers to entry into and exit from the industry...

(9) to encourage honest and efficient management of railroads;

(15) to provide for the expeditious handling and resolution of all proceedings.

Moreover, the grant of the exemption will not be inconsistent with any of the 15 objectives which are set forth in the rail transportation policy by 49 U.S.C. §10101.

The scope of the exemption requested is limited and will have de minimis, if any, impact on shippers. There is only currently one (1) identified rail customer on this short segment of rail line that shipped a total of 152 carloads in the twelve months end May 31, 2021, all of which currently transit the NSR main line to New Castle interchange with C&NC.³ While there will be a change in operators, rail service is expected to continue uninterrupted.

Since the proposed discontinuance is of limited scope, it is not necessary for the Board to consider whether shippers need to be protected from abuse of market power. However, even if the Board were to consider market power, it is clear that shippers do not need to be protected from its abuse. As noted above, the current Class III operator is expected to be replaced by the

³ The Board has stated that the proposed abandonment and discontinuance of service over short line railroads where traffic is marginal or nonexistent is of limited scope. *Tulare Valley R.R. Co. - Abandonment and Discontinuance Exemption – In Tulare And Fresno Counties, CA*, AB-397 (Sub-No 3X) 1995 I.C.C. LEXIS 12, at *10-11 (I.C.C. served Feb 9, 1995).

owner of the Line which already has underlying authority and responsibility to operate the Line, and which will be a Class I carrier upon commencement of operations. The new operator will not have any more market power than the existing operator, rail service is intended to continue uninterrupted and, accordingly, regulation is not needed to protect it from abuse of market power. *See Delta S. R.R., Inc. – Abandonment Exemption – In Desha and Chicot Counties, Ark.*, AB-384 (Sub-No. 3X), served March 23, 2011, at 3; *Minn. N. R.R. Inc. – Abandonment Exemption – Between Redland Jct. and Fertile, in Polk Cty., MN*, AB-497 (Sub-No. 2X) (served Nov. 14, 1997), 1997 S.T.B. LEXIS 294 at *24.

No formal complaint by a user of rail service on the Line, or a state or local government entity acting on behalf of such a user, regarding cessation of service over the Line either is pending with the Board or any U.S. District Court nor has any been decided in favor of a complainant within the last two years.

Additional Information

Although not required under the Board's regulations for discontinuance petitions for exemption, C&NC hereby provides the following additional basic information that would be required under 49 C.F.R. 1152.50(d) and 1152.22 if the discontinuance were sought pursuant to the Board's class exemption:

(a)(1) The exact name of the Petitioner is: C&NC Railroad, LLC.

(a)(2) C&NC is a common carrier by rail subject to 49 U.S.C. Subtitle IV, chapter 105. C&NC currently holds common carrier PC&N operating freight authority for the Line. NSR owns the Line, and has residual common carrier operating authority and responsibility for the Line.

(a)(3) C&NC seeks to discontinue service over the Line.

(a)(4) A map of the Line is attached as Exhibit A.

(a)(7) The representative of C&NC to whom correspondence should be sent is:

William H. Stewart III, Esq.
Vuono & Gray, LLC
310 Grant St., Suite 2310
Pittsburgh, PA 15219

(a)(8) The Line traverses through United States ZIP Code(s): 47327, 47357, 47362, 47366, 47331, and 47387.

(e)(4) The Line will not be suitable for use for other public purposes since only discontinuance of service authority is sought. Moreover, the Line is owned by NSR, which intends to provide continuing rail service over the Line after the discontinuance of service becomes effective.

C&NC proposes to consummate the discontinuance on or about August 10, 2021, or upon the earliest possible date thereafter permitted by the Board subject to coordination with NSR to ensure a smooth transition of common carrier service. C&NC is unaware of any public interest factors that would militate against the Board granting the subject Petition.

Employee Protection

The discontinuance of service sought in this proceeding will cover the “entire system” operated by C&NC. In general, a discontinuance will be made subject to the employee protective conditions in *Or. Short Line R.R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). However, in cases of entire-system discontinuances, the Board and its predecessor the Interstate Commerce Commission have adopted an exception under which no employee protective conditions will be imposed. *See Mfr. Ry. Co. v. S.T.B.*, 676 F.3d 1094 (D.C. Cir. 2012); *Wellsville, Addison & Galetton R.R. Corp.*, 354 I.C.C. 744 (1978); *Northampton & Bath R.R. Co.*, 354 I.C.C. 784 (1978).

Public and Trail Use Conditions

Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate. *See Blacklands R.R., Inc. – Discontinuance Exemption – In Rusk County, Tex.*, AB 1108X (Served Apr. 3, 2013); *CSX Transp., Inc. – Discontinuance of Service Exemption – In Raleigh Cty., W.Va.*, AB 55 (Sub-No. 725X) (served Sept. 11, 2012); *Norfolk S. Ry. Co. – Discontinuance of Service Exemption – In St. Joseph and LaPorte Counties, IN*, AB-290 (Sub-No. 307 X) (served June 18, 2008); *Everett R.R. Co. – Discontinuance of Service Exemption – In Blair Cty., PA*, AB 721X (Served Nov. 16, 2007); *Columbus and Greenville Ry. Co. – Discontinuance of Service Exemption – In Greenwood, MS*, AB-297 (Sub-No. 103X) (served July 2, 2007). This is particularly true where rail service will be continued over the Line.

Environmental and Historic Report

The Board does not normally require a carrier seeking to discontinue service over a particular rail line to prepare and submit for review a combined environmental and historic report.⁴ Here, the discontinuance is exempt from environmental reporting requirements under 49 C.F.R. § 1105.6(c) and from historic reporting requirements under 49 C.F.R. § 1105.8(b) because C&NC seeks only to discontinue service over the NSR-owned Line. Neither C&NC nor NSR anticipate engaging in any salvage activities, including the removal of any potentially historic structures (such as bridges) as a result of obtaining discontinuance authority. Further

⁴ *See, e.g., Everett R.R. Co. – Discontinuance of Service Exemption – In Blair Cty., PA*, AB-271X slip op. at 2 n.2 (S.T.B. served Nov. 16, 2007) (“Because this is a discontinuance proceeding and not an abandonment, . . . no environmental or historical documentation is required here under 49 CFR 1105.6(c) and 1105.8(b), respectively”); *Columbus and Greenville Ry. Co. – Discontinuance of Service Exemption – in Greenwood, MS*, AB-297 (Sub-No. 103X), slip op. at 2 n.2 (S.T.B. served July 3, 2007) (same); *Norfolk S. Ry. Co.—Discontinuance Exemption—in Mahoning Cty., OH*, AB-290 (Sub-No. 292X), slip op. at 2 n.2 (S.T.B. served March 15, 2007); *Chillicothe-Brunswick Rail Maint. Auth.—Discontinuance Exemption—in Livingston, Linn, and Chariton Counties, MO*, AB-1001X, slip op at 2 n.3 (S.T.B. served Feb. 23, 2007) (same).

Board approval is required for NSR to abandon service on the line. Accordingly, no environmental or historic report was prepared.

Notice/Certification

Pursuant to the provisions of 49 C.F.R. §1152.60(c), C&NC has attached, as Exhibit B, a draft Federal Register notice of its Petition to be published by the Board within 20 days of the Petition's filing with the Board. The form of notice has been modified to reflect that this proceeding involves a discontinuance and not an abandonment.

A newspaper notice as required by 49 C.F.R. 1105.12 was published on July 2, 2021 in the New Castle Courier-Times. A copy of the notice, and the proof of publication are attached as Exhibit C.

A copy of this Petition is being sent to the persons designated in 49 C.F.R. §1152.50(d), as well as to the significant users of the Line during the twelve months ending May 31, 2021.

Conclusion

For the foregoing reasons, C&NC requests that the Board, under 49 U.S.C. §10502, exempt its discontinuance of service over the Line from regulation under 49 U.S.C. §10903.

Respectfully submitted,

s/ William H. Stewart III, Esq.

William H. Stewart III, Esq.
Louise R. Vuono, Esq.
Vuono & Gray, LLC
310 Grant Street, Suite 2310
Pittsburgh, PA 15219
Attorneys for C&NC Railroad, LLC

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1093 (Sub-No. 2X)

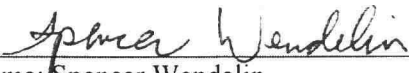
C&NC RAILROAD, LLC –DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

Verification

VERIFICATION

I verify on behalf of C&NC Railroad, LLC, under penalty of perjury, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verification.

Dated: July 9, 2015


Name: Spencer Wendelin
Title: Managing Member

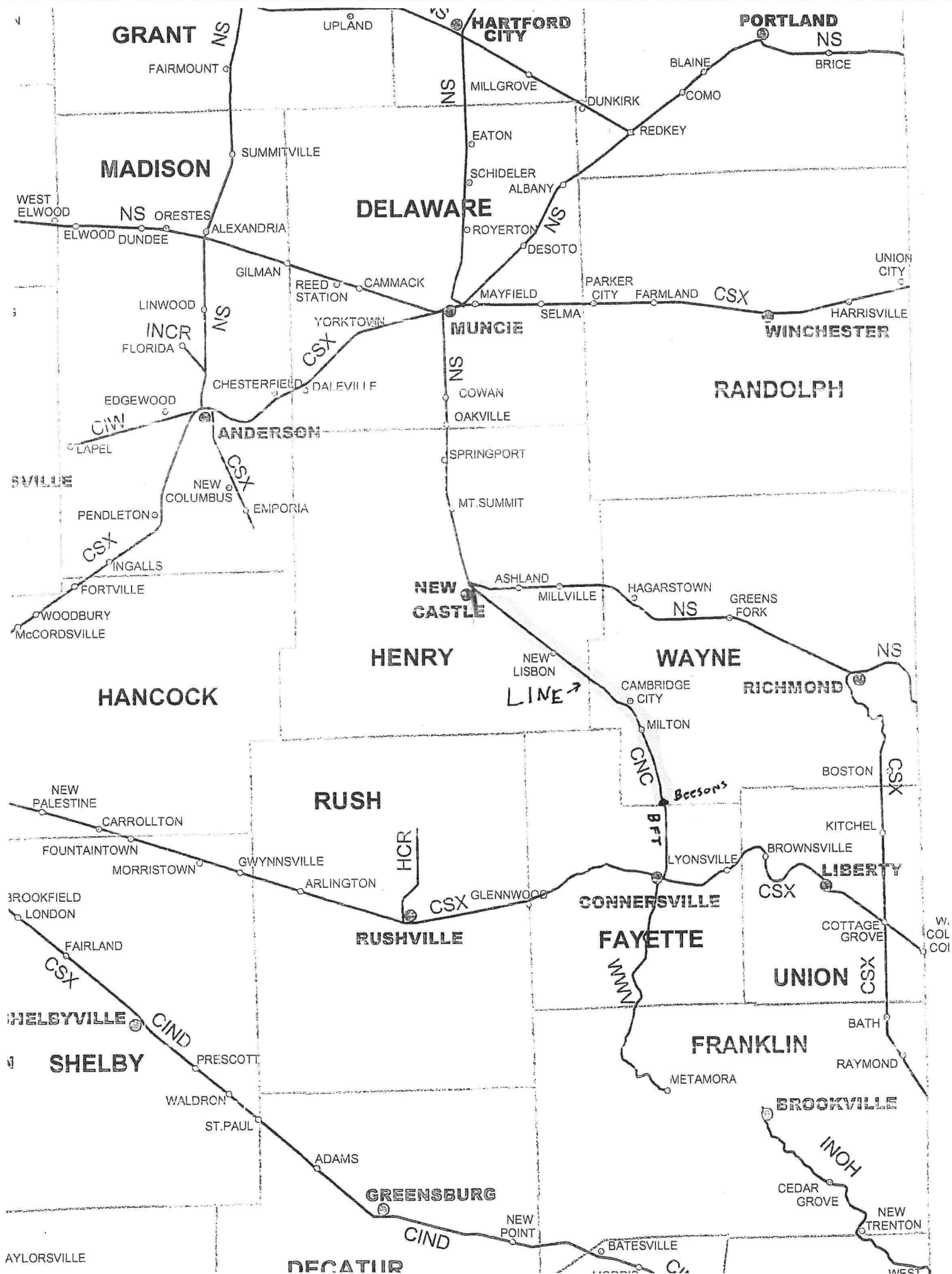
BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1093 (Sub-No. 2X)

C&NC RAILROAD, LLC –DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

EXHIBIT A

MAP



N.E. 1/4

Culv. #1606
298+69
24' of 24" C.I.P.

Culv. #1605 1/2
294+50
24' of 36" C.I.P.

$\Delta = 170' 14'$
Easements

290

289+18.6 B.C. 1°30' R.

Beginning of
Lease Line
MP 5.46

Br. #1604
70' Deck Girder, Stone Abuts.
So. End, 286+32

#173

#173

#173

#173

#173

#173

#173

BEESONS, IND.

Co. Rd.
ROAD

280

MP 5.0
264+00

PS. 4+33
PS. 4+26

Pump

Shed

Elev.

26°20'

Betw. Tang.

1120'

2800'

300'

200'

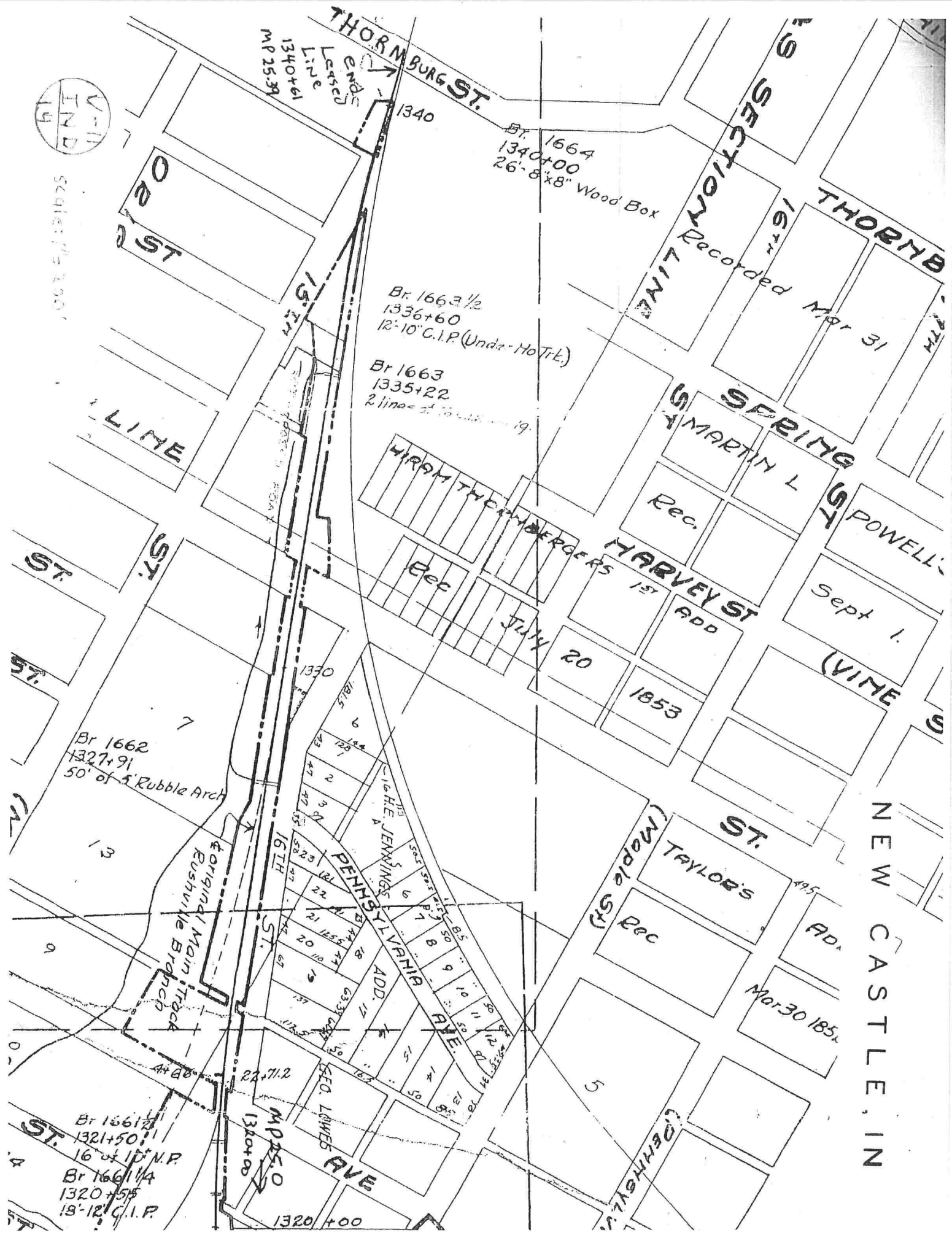
Line

Scale: 1" = 200'





Scale: 1" = 200'



THORNBURG ST.
1340
Line
1340+61
MP 25.39

Br. 1664
1340+00
26'-8"x8" Wood Box

Br 1663 1/2
1336+60
12'-10" C.I.P. (Under Ho Trk.)

Br 1663
1335+22
2 lines of 12' x 19'

16TH ST
Recorded Mar 31

SPRING ST
MARTIN L
Rec.

HARVEY ST
1853
JULY 20
ADD

POWELL ST
Sept 1
(VINE ST)

TAYLOR ST
TAYLOR'S
Rec.
Mor 30 1854

NEW CASTLE, IN

WARM THORNBURG ST
Rec.

Br 1662
1327+91
50' of 5' Rubble Arch

Original Main Track
Fushville Branch

PENNSYLVANIA AVE
ADD. 17
1320+00

Br 1661 1/2
1321+50
16' of 12" N.P.
Br 1661 1/4
1320+55
18'-12" C.I.P.

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1093 (Sub-No. 2X)

C&NC RAILROAD, LLC –DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

EXHIBIT B

DRAFT FEDERAL REGISTER NOTICE

Surface Transportation Board

[AB-1093 (Sub-No. 2X)]

C&NC RAILROAD, LLC –DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

On July 9, 2021, C&NC Railroad, LLC (“C&NC”) filed with the Surface Transportation Board, Washington, D.C. 20243, a petition for exemption seeking to discontinue service over an approximately 21-mile line of railroad in Wayne County and Henry Counties, Indiana (the “Line”). The Line is the entire system operated by C&NC. The Line traverses portions of United States Postal Zip Code territories 47327, 47357, 47362, 47366, 47331 and 47387. There are no stations on the Line. Upon the discontinuance of service by C&NC, Norfolk Southern Railway Company (“NSR”), the Line’s owner, has advised C&NC that it will resume providing common carrier service over the Line.

C&NC has no information indicating that the Line contains federally granted rights-of-way. Should C&NC discover any information regarding federally granted rights-of-way, such information will be made available upon request.

Because this is a discontinuance of the entire system operated by C&NC, no labor protective conditions should be imposed.

C&NC has served a copy of this Petition on the persons receiving notices of exemption under §1152.50(d).

By the issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. §10502(b). A final decision will be issued no later than _____ (90 days after filing).

Any offer of financial assistance (“OFA”) under 49 C.F.R. §1152.27(b)(2) to subsidize continued rail service will be due not later than ten (10) days after service of a decision granting

the petition for exemption. Each OFA to subsidize continued rail service must be accompanied by the required filing fee, which is currently set at \$ _____. See 49 C.F.R. §1002.2(f)(25). However, OFA's are not appropriate here as the Line's owner intends to resume operating over the Line.

Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate. Similarly, no environmental or historical documentation is required under 49 C.F.R. §§1105.6(c)(2) and 1105.8(b).

Any filings in response to this notice must refer to AB-1093 (Sub-No. 2X) and must be sent to: (1) Surface Transportation Board, 395 E Street, S.W., Washington, D.C. 20423-0001; and C&NC's representative: William H. Stewart III, Esq., Vuono & Gray, LLC, 310 Grant St., Suite 2310, Pittsburgh, PA 15219. Replies to this petition are due on or before _____.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238, or refer to the full discontinuance regulations at 49 C.F.R. Part 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Board decisions and notices are available on the STB website at: WWW.STB.GOV.

Decided: _____

By the Board: _____, Director, Office of Proceedings

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1093 (Sub-No. 2X)

C&NC RAILROAD, LLC –DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

EXHIBIT C

NEWSPAPER NOTICE

THE Courier-Times CLASSIFIEDS

Classified Desk: 1-855-317-4292
Hours: Monday - Friday 9am-2pm EST
0100 ANNOUNCEMENTS

AT&T TV - The Best of Live & On-Demand On All Your Favorite Screens. CHOICE Package. \$4.99/mo for 12 months. Stream on 20 devices at once in your home. HBO Max FREE for 1 yr w/CHOICE Package or higher. Call for more details today! (some restrictions apply) Call 1-844-412-9997

DISH Network. \$64.99 for 190 Channels! Blazing Fast Internet. \$19.99/mo. (where available). Switch & Get a FREE \$100 Visa Gift Card. FREE Voice Remote. FREE HD DVR. FREE Streaming on ALL Devices. Call today! 1-855-551-9784

DIRECTV for \$69.99/mo for 12 months with CHOICE Package. Watch your favorite live sports, news & entertainment anywhere. One year of HBO Max FREE. Directv is #1 in Customer Satisfaction (JD Power & Assoc.) Call for more details! (some restrictions apply) Call 1-888-685-8931

Think High Speed Internet. As Low As \$48.95/month (for the first 3 months). Reliable High Speed Fiber Optic Technology. Stream Videos, Music and More! Call Earthlink Today 1-855-977-7069

High-Speed Internet. We instantly compare speed, pricing, availability to find the best service for your needs. Start at \$39.99/month! Quickly compare offers from top providers. Call 1-844-961-0666

4G LTE Home Internet Now Available! Get GoWi3 with lightning fast speeds plus take your service with you when you travel! As low as \$19.99/mo! 1-877-327-0930

Smart Home Installations? Geeks on Site will install your WIFI, Doorbells, Cameras, Home Theater Systems & Gaming Consoles. \$20 OFF coupon 425371 (Restrictions apply) 855-668-0067

Thinking about installing a new shower? American Standard makes it easy. FREE design consultation. Enjoy your shower again! Call 1-855-475-0534 today to see how you can save \$1,000 on installation, or visit www.howdeals.com/hoosier

LIVE PAIN FREE with CBD products from AceWellness. We guarantee highest quality, most competitive pricing on CBD products. Softgels, Oils, Sunscreen, Vape & more. Coupon Code: PRINT20 Call Now 833-228-3105

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Portable Oxygen Concentrator May Be Covered by Medicare! Reclaim independence and mobility with the compact design and long-lasting battery of Inogen One. Free information kit! Call 877-930-3271

Guaranteed Life Insurance! (Ages 50 to 80). No medical exam. Affordable premiums never increase. Benefits never decrease.

0900

Notice of Proposed Superintendent's Contract
Blue River Valley School Corporation

Indiana Code 20-26-5-4.3 requires that the Board of School Trustees publish a notice of a proposed employment contract for the Superintendent at least seven (7) days before they act on it. The notice must also state the date, time, and location the Board shall meet to discuss and hear public comments on the proposed contract.

The following are the details of the proposed Superintendent Contract between a yet to be named Superintendent and the Blue River Valley Board of School Trustees:

Annual salary (260 days per year)	\$97,000.00
Insurance & health reimbursement account allowance (Employee/Spouse plan)	\$24,374.78
* Annual IRS Code Section 403(b) Contribution Allowance (2.5 % base salary)	\$2,425.00
* Annual LTD Premium	\$349.20
* Annual Term Life Insurance Premium	\$151.32
* Annual Contribution to TRF	\$10,522.98
* Total of Listed Contract Provisions	\$134,823.28

*Indicates that the Board contribution may be adjusted if the carrier increases premium for the same level of coverage.

Paid Leave Days Per Year: 20 Vacation, 10 sick, 5 personal, and 3 family illness

Blue River Valley School Corporation will provide a \$30 cell phone monthly allowance and reimburse mileage for travel.

Contract effective date is July 13, 2021 – June 30, 2024

The administrator salary is adjusted to \$100,000.00 for the 2022-2023 school year and \$103,000.00 for the 2023-2024 school year upon an annual evaluation rating of effective or highly effective with benefit percentage values increasing accordingly to salary value.

The Board shall meet on Friday, July 2, 2021 at 8:00 PM at the Blue River Valley School Corporation's Administrative Office, 3038 US Highway 36 East New Castle, Indiana to discuss and hear public comment on the proposed contract.

hsapxlp

0100 ANNOUNCEMENTS

Policy will only be cancelled for non-payment. 833-535-1043

DONATE YOUR CAR TO CHARITY! FAST FREE PICKUP-24 HR RESPONSE! Help Children in Need. Support Breast Cancer Education/Prevention or Veterans. Tax Deduction 644-820-9099

DIAGNOSED WITH LUNG CANCER? You may qualify for a substantial cash award. NO Obligation. NO risk! We've recovered millions. Let us help you! Call 24/7. 844-284-4920

Looking to SELL your Home? Save time & money, connect with the Top Agents in your area to get more MONEY and close FASTER! Call 317-854-9781

ANYING CASH for old bottles of Whiskey, Bourbon, Rye, Rum, Scotch, etc. Only Full and Sealed. Call or text 317-488-2838

0150 GARAGE/ESTATE SALES

Now Castle, IN
Huge Nice Sale - Don't Miss! 1999 W Railroad St (approx 8 houses on right past Westwood school going west, turn right onto Link St off 100 S) Friday July 2nd 8am-7pm Saturday July 3rd 8am-7pm

Antiques, furniture, Lazy Boy rocker-recliner, old Everdure riding motor, dehumidifier, large gas generator, outdoor furniture, tools-decor, cultivator-edger, tools, chainsaw, nice household items, girls juniors clothing, women and mens clothing, old ball pens, Hurley Davidson parts-accessories and clothing, and lots of stuff to pick through!

Everything must go, no reasonable offers refused. Every part in the house, garage, basement, and shed have been cleaned out.

Shelbyville, IN
Garage Sale
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NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE
AB-1093 (SUB-N, 2X).

C&NC Railroad, LLC ("C&NC") gives notice that on or about July 2, 2021, it intends to file with the Surface Transportation Board ("STB"), Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting C&NC to discontinue service over approximately 21 miles of rail line (hereinafter, "the Line") located in Wayne County and Henry County, Indiana. The Line extends from milepost CB 5.4 (at Beassins, IN) to milepost 25.30 (at New Castle, IN) and milepost R 0.1 to milepost R 1.16 (at New Castle, IN), and traverses portions of United States Postal Zip Code territories 47327, 47357, 47392, 47396, 47331 and 47387. The proceeding has been docketed as AB-1093 (SUB-N, 2X).

The proposed action entails the discontinuance of rail service over the Line for which further Board approval would be required for C&NC to abandon service on the line. Accordingly, this proceeding is exempt from environmental reporting requirements under 49 C.F.R. § 1105.6(c) and from historic listing requirements under 49 C.F.R. § 1105.8(b), and the STB will not prepare an environmental assessment.

Appropriate offers of financial assistance to continue rail service under a subsidy can be filed with the Board. Because the proposed action is for the discontinuance of service over, but not the abandonment of the Line, requests for public use conditions and rail banking/trails will not be accepted. An original and 10 copies of any pleading in response to the proposed discontinuance of service (such as offers of financial assistance) must be filed directly with the Board's Section of Administration, Office of Proceedings, 395 E. Street, S.W., Washington, DC 20423 (See 49 C.F.R. §§ 1104.1(a) and 1104.3(a)), and one copy must be served on C&NC's representative (See 49 C.F.R. § 1104.12(a)). Questions regarding offers of financial assistance or other such matters may be directed to the Board's Office of Public Assistance, Governmental Affairs, and Compliance at 202-245-0230. Copies of any comments or requests for specific Board action should be served on C&NC's representative: William H. Stewart III, Esq., Vuono & Gray, LLC, 310 Grant St., Suite 2310, Pittsburgh, PA 15219; (412) 471-1105.

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NOTICE OF INTENT TO DISCONTINU

Affidavit of Publication

STATE OF IN }
COUNTY OF HENRY } SS

Shelbi Hyatt, being duly sworn, says:

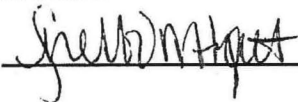
That she is Advertising Clerk of the Courier Times, a daily newspaper of general circulation, printed and published in New Castle, Henry County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

July 02, 2021

Publication Fees: \$ 192.95

That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Subscribed to and sworn to me this 2nd day of July 2021.

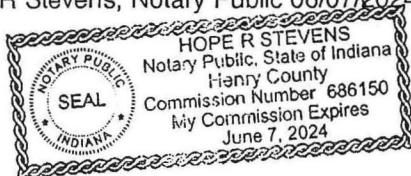
NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE
AB-1093 (SUB-NO. 2X).

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Hope R Stevens, Notary Public 06/07/2024



70035295 70097071

Vuono & Gray, LLC
310 Grant St. Suite 2310
Pittsburgh, PA 15219

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB-1093 (Sub-No. 2X)

C&NC RAILROAD, LLC –DISCONTINUANCE EXEMPTION – IN WAYNE AND HENRY
COUNTIES, INDIANA

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing document was served on the
persons shown on the attached list, by first class mail, postage prepaid.

/s/ William H. Stewart III, Esq.
William H. Stewart III, Esq.

Dated: July 9, 2021

A. Persons to Receive Notices under 49 CFR 1152.60(d) and 1152.50(d):

Indiana Utility Regulatory Commission
PNC Center
101 W. Washington Street
Suite 1500E
Indianapolis, IN 46204

Venetta Keefe
Rail Programs Manager
Indiana Department of Transportation
Railroad Section
100 N. Senate Avenue 1GC-N N758-MM
Indianapolis, IN 46204

David Dorfman
Headquarters Military Surface Deployment and Distribution Command
Transportation Engineering Agency
ATTN: SDTE-SA
Railroads for National Defense Program
1 Soldier Way, Building 1900W
Scott AFB, IL 62225

Mr. Stephan Nofield
National Park Service
Rivers, Trails and Conservation Assistance Program
1849 C Street NW, Room 1344
Washington DC 20240

Vicki Christiansen, Chief
Forest Service
U.S. Department of Agriculture
Sidney R. Yates Federal Building
201 14th Street SW
Washington, DC 20024

B. Significant Users:

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New Castle, Indiana 47632