



Surface Transportation Board
Washington, D.C. 20423-0001

Office of the General Counsel

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Meeting under Section 5, STB Reauthorization Act

302716

July 7, 2020

Present: Members Begeman, Fuchs, and Oberman

Staff Matthew Bornstein, Allison Davis, Ellen Erichsen, Sarah Fancher, July 13, 2021

Amanda Gorski, Michael Higgins, Theodore Hunt, Craig Keats, Gabriel Part of

Meyer, Lisa Novins, Valerie Quinn, John Rackson, Scott Zimmerman Public Record

Topic: Docket No. FD 36400, Chester County, Pa.—Petition for Declaratory Order

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

At this meeting, staff and Board Members discussed issues related to a petition filed by Chester County, Pa., seeking a declaratory order stating that a rail line acquired in 2014 by Chester County has not been fully abandoned. According to the County, the ICC issued an order authorizing abandonment of the line in 1970, but a subsequent journal entry notifying the ICC of abandonment consummation is undated. Therefore, Chester County argues that there is no proof that the then-owner of the line exercised its abandonment authority within the time period specified in the ICC's order.

Staff and Board Members discussed the following issues:

1. The background information concerning the ICC's 1970 abandonment proceeding and the history of the rail line in question.
2. The arguments and documentation submitted by Chester County.
3. Options for resolution of the petition.