



COMMONWEALTH of VIRGINIA

Virginia Passenger Rail Authority

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September 10, 2021

302994

Ms. Cynthia T. Brown

Chief of the Section of Administration
Office of Proceedings

Surface Transportation Board
395 E Street, S.W.
Washington, D. C. 20423

ENTERED
Office of Proceedings
September 14, 2021
Part of
Public Record

Re: DOCKET NO. FD 34495 (SUB-NO. 1)
*Buckingham Branch Railroad Company Acquisition and Operation Exemption with
Interchange Commitment CSX Transportation, Inc.*

The Commonwealth of Virginia (the "Commonwealth"), acting through its Virginia Passenger Rail Authority ("VPRA"), hereby offers its support for the Notice of Exemption (the "Notice") filed by the Buckingham Branch Railroad Company ("BBRC") on September 2, 2021 in the above-referenced proceeding ("*BBRC Exemption*").

Earlier this year, the Virginia Department of Rail and Public Transportation ("VDRPT") acquired certain CSXT assets following a favorable Board determination issued late in 2020 that found that the transaction in question was not subject to the Board's jurisdiction.¹ Following the closure of the Virginia-CSXT agreement to acquire CSXT assets, the agreements between VDRPT and CSXT were assigned on June 28, 2021, per authority from the 2020 Omnibus legislation passed by the Virginia General Assembly, and per a May 2020 VPRA Board Resolution.

In furtherance of the goals and objectives of the Commonwealth to improve freight and passenger service, CSXT has also agreed to convey to VPRA by November 30, 2021 approximately 164.22 miles of railroad line extending between milepost 276.0 in the town of Clifton Forge in Allegheny County, VA, and milepost 111.78 at Doswell in Hanover County, VA ("Segment 3") – the assets that underlie the freight common carrier easement that is the subject of *BBRC Exemption*. The proposed Segment 3 asset sale would be subject to the agreements described in

¹ *Commonwealth of Virginia-Acquisition Exemption-Certain Assets of CSX Transportation, Inc.*, FD. 36441 (STB served December 14, 2020).

BBRC's Notice, and an upcoming proceeding to be initiated by VPRA under *Me. Dep't of Transp. — Acquis. & Operation Exemption—Me. Cent. R.R.*, 8 I.C.C.2d 835 (1991).

Since the inception of BBRC's 2004 lease of the railroad lines that comprise Segment 3 (among others),² the Commonwealth through VDRPT has provided significant grant funding to improve track structure and signals on the line. BBRC has contributed materially to those improvements as part of the grant program. VPRA's proposed acquisition of Segment 3 would permit VPRA to further its goals for freight and passenger service improvements in cooperation with BBRC, and, most importantly, VPRA can look toward a long-term arrangement with BBRC for the operation and maintenance of Segment 3 under BBRC's proposed perpetual easement.

Accordingly, VPRA respectfully requests favorable Board action on BBRC's Notice.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'DJ Stadtler', written in a cursive style.

DJ Stadtler
Executive Director

² *Buckingham Branch Railroad Company-Lease-CSX Transportation, Inc.*, FD 34495 (STB served Nov. 5, 2004).

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of September 2021, a copy of the foregoing letter was served upon all of the parties of record in this proceeding via email:

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Respectfully submitted,

/s/ Carolyn Gaut Kraska
Carolyn Gaut Kraska