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SERVICE DATE – NOVEMBER 26, 2021

DO

FR-4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36541]

Cathcart Rail, LLC—Continuance in Control Exemption—Cornhusker Railroad, LLC

AGENCY: Surface Transportation Board.

ACTION: Correction to Notice of Exemption.

Cathcart Rail, LLC (Cathcart), a noncarrier, filed a verified notice of exemption under 49 C.F.R. § 1180.2(d)(2) to continue in control of Cornhusker Railroad, LLC (CORN), a noncarrier controlled by Cathcart, upon CORN's becoming a Class III rail carrier.¹ On September 3, 2021, notice of the exemption was served and published in the Federal Register (86 Fed. Reg. 49,592). The exemption became effective on September 19, 2021.

The served notice inadvertently omitted the effective date of the exemption. The notice should have stated that the transaction may be consummated on or after September 19, 2021, the effective date of the exemption (30 days after the verified notice was filed). This notice corrects that error.

¹ This transaction is related to a verified notice of exemption filed concurrently in Cornhusker Railroad—Operation Exemption—Trackage in Hall & Adams Counties, Neb., FD 36540 (STB served Sept. 3, 2021), in which CORN received authority to operate approximately 27 miles of track consisting of the Grand Island Branch in Hall County, Neb., and the Hastings Branch in Adams County, Neb.

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.

All pleadings, referring to Docket No. FD 36541, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, one copy of each pleading must be served on Cathcart's representative, David F. Rifkind, Stinson LLP, 1775 Pennsylvania Avenue N.W., Suite 800, Washington, DC 20006.

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

Decided: November 24, 2021.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.