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November 30, 2022
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FLETCHER & SIPPEL LLC

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AUDREY E. LANE
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November 30, 2022

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20024

Re: **AB 578X**
Austin Area Terminal Railroad, Inc. — Discontinuance of
Service Exemption — In Bastrop, Burnet, Lee, Llano,
Travis, and Williamson Counties, TX

Dear Ms. Brown:

Attached for filing in the above-captioned proceeding is a **Verified Notice of Exemption of Austin Area Terminal Railroad, Inc. Pursuant to 49 C.F.R. § 1152.50**. Payment of the applicable filing fee has been tendered electronically via Pay.gov.

The proposed action in this docket entails the discontinuance of common carrier rail service over the subject rail line, rather than abandonment of the line. Accordingly, no combined Environmental and Historic Report needs to be, or has been, prepared in support of the notice.

If you have any questions regarding this filing, please contact me at either alane@fletcher-sippel.com, or (312) 252-1500.

Respectfully submitted,



Audrey E. Lane
Attorney for Austin Area Terminal Railroad, Inc.

ALB: eg
Enclosures

FEE RECEIVED
November 30, 2022
Surface
Transportation Board

FILED
November 30, 2022
Surface
Transportation Board

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 578X

AUSTIN AREA TERMINAL RAILROAD, INC.
— DISCONTINUANCE OF SERVICE EXEMPTION —
IN BASTROP, BURNET, LEE, LLANO, TRAVIS,
AND WILLIAMSON COUNTIES, TEXAS

**VERIFIED NOTICE OF EXEMPTION OF
AUSTIN AREA TERMINAL RAILROAD, INC.
PURSUANT TO 49 C.F.R. § 1152.50**

Robert A. Wimbish
Audrey E. Lane
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500

**ATTORNEYS FOR
AUSTIN AREA TERMINAL RAILROAD, INC.**

Dated: November 30, 2022

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 578X

AUSTIN AREA TERMINAL RAILROAD, INC.
— DISCONTINUANCE OF SERVICE EXEMPTION —
IN BASTROP, BURNET, LEE, LLANO, TRAVIS,
AND WILLIAMSON COUNTIES, TEXAS

**VERIFIED NOTICE OF EXEMPTION OF
AUSTIN AREA TERMINAL RAILROAD, INC.
PURSUANT TO 49 C.F.R. § 1152.50**

Austin Area Terminal Railroad, Inc. (“AATR”) hereby submits this notice of exemption pursuant to 49 C.F.R. § 1152.50 to discontinue common carrier rail service over approximately 162 miles of railroad lines located between milepost AUNW-MP 0.0 (SPT-MP 57.00), west of Giddings, to milepost AUNW-MP 154.07 (SPT-MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 miles) in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas (the “Lines”).

AATR understands that the Lines are owned by Capital Metropolitan Transportation Authority (“CMTA”) and are presently operated by Austin Western Railroad, L.L.C. (“AWRR” – formerly Austin Western Railroad, Inc. – a railroad common carrier unaffiliated with AATR). AATR’s authority to provide common carrier service over the Lines took effect in 2002, when AATR assumed common carrier operations in place of its parent company, Trans-Global Solutions Inc. *See Austin Area Terminal Railroad, Inc. – Change in Operators Exemption – Trans-Global Solutions, Inc., FD 33972 (STB served Dec. 20, 2002), 1 at n. 1; Trans-Global Solutions, Inc. d/b/a Austin Area Terminal Railroad – Operation Exemption – Capital Metropolitan Transportation Authority, FD 33860 (STB served Apr. 4, 2000).*

AATR has not operated over the Lines for many years, and long has been an inactive railroad. In 2007, CMTA gave exclusive operating rights to AWRR, who, in turn sought and obtained its own common carrier authorization from the Board. *See Austin Western Railroad, Inc. – Operation Exemption – Capital Metropolitan Transportation Authority*, FD 35072 (STB filed Aug. 31, 2007), 4 (“An agreement has been entered into whereby AWRR will become the exclusive freight operator on CMTA-owned lines . . .”); *Austin Western Railroad, Inc. – Operation Exemption – Capital Metropolitan Transportation Authority*, FD 35072 (STB served Sep. 14, 2007). It is not clear why AWRR did not seek operating authority from the Board under a change of operator exemption that simultaneously would have terminated AATR’s common carrier status. It would have been better had AWRR done so. But whatever the reason, under the circumstances, AATR still possesses a nominal common carrier status with respect to the Lines, even though AATR has long been inactive. AATR now files this notice of exemption pursuant to 49 C.F.R. § 1152.50 to address its formal exit from common carriage.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), AATR submits the following information:

Certification for Class Exemption Eligibility (49 C.F.R. § 1152.50(b)):

As mentioned above, AWRR has been conducting common carrier operations over the Lines since 2007 under what AWRR claims to be an exclusive contractual right to do so. AATR ceased operations in 2007 contemporaneous to the commencement of AWRR operations. Accordingly, AATR has not handled any local traffic over the Lines for well more than two years; AWRR is now responsible for overhead traffic movements over the Lines (to the extent any exists); and no user of rail service has filed a formal complaint regarding AATR’s cessation of service with the Board or a U.S. District Court (and no such case is now pending);

and no such complaint regarding AATR service been decided in favor of the complainant within the past two years. (In fact, no such service complaint has ever been filed against AATR.) See Certification and Verification of Class Exemption Eligibility attached as Exhibit A.

Additional Information Required (49 C.F.R. §§ 1152.22(a)(1)-(4), (7)-(8) and (e)(4)):

Exact name of applicant (49 C.F.R. § 1152.22(a)(1)):

Austin Area Terminal Railroad, Inc.

Whether applicant is a common carrier by railroad (49 C.F.R. § 1152.22(a)(2)):

AATR is a railroad common carrier subject to the Board's jurisdiction under 49 U.S.C. Subtitle IV, Chapter 105. *Trans-Global Solutions, Inc. d/b/a Austin Area Terminal Railroad – Operation Exemption – Capital Metropolitan Transportation Authority*, FD 33860 (STB served Apr. 4, 2000); *Austin Area Terminal Railroad, Inc. – Change in Operators Exemption – Trans-Global Solutions, Inc.*, FD 33972 (STB served Dec. 20, 2002), 1 at n. 1.

Relief sought (49 C.F.R. § 1152.22(a)(3)):

AATR seeks authorization through the Board's class exemption procedures to discontinue common carrier rail service over approximately 162 miles of railroad lines located between milepost AUNW-MP 0.0 (SPT-MP 57.00), west of Giddings, to milepost AUNW-MP 154.07 (SPT-MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 miles) in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas. The subject exemption will formally authorize AATR's cessation of operations in 2007 when AWRR replaced AATR as the "exclusive" common carrier over the Lines at the election of the Lines' owner, CMTA.

Map (49 C.F.R. § 1152.22(a)(4)):

A map depicting the location of the Lines is attached as Exhibit B.

AATR's representative (49 C.F.R. § 1152.22(a)(7)):

AATR's representative to whom correspondence regarding this discontinuance should be sent is:

Audrey E. Lane
Fletcher & Sippel LLC
29 N. Wacker Drive
Suite 800
Chicago, IL 60606-3208
312-252-1500

ZIP codes traversed (49 C.F.R. § 1152.22(a)(8)):

The Lines traverse United States Postal Service ZIP Code territories 78643, 78609, 78639, 78654, 78611, 78605, 78642, 78641, 78646, 78630, 78717, 78729, 78651, 78727, 78759, 78758, 78766, 78757, 78752, 78751, 78722, 78702, 78725, 78721, 78724, 78653, 78621, 78650, 78659 and 78942.

Suitability for other public purposes (49 C.F.R. § 1152.22(e)(4)):

The informational requirement of 49 C.F.R. § 1152.22(e)(4) (alternative public uses of rail property) is pertinent only where a railroad proposes to abandon rail property, not where (as here) the railroad does not own the railroad lines in question, proposes only to discontinue its service obligations over the Lines, and where another common carrier provides service over those same lines. Nevertheless, AATR is unaware of any alternative public use for which the Lines might be suitable.

Consummation Date (49 C.F.R. § 1152.50(d)(2)):

AATR intends to consummate the proposed discontinuance upon the effective date of the present exemption.

Labor Protection (49 C.F.R. § 1152.50(d)(2)):

Because AATR seeks formally to discontinue operations over its entire rail system and does not own the Lines over which it seeks discontinuance authorization, AATR requests an exemption from the imposition of the otherwise-applicable labor protective conditions¹ pursuant to *Mo. & Valley Park R.R. – Discontinuance of Serv. Exemption – in St. Louis Cnty., Mo.*, AB 1057X (STB served June 15, 2010) slip op. at 1, 2; *N.Y. & E. Ry. – Discontinuance Exemption – in Dutchess Cnty., N.Y.*, AB 873X *et al.* (STB served Oct. 15, 2004) slip op. at 1, 4; and (to the extent relevant) *Central Texas & Colorado River Railway, LLC – Discontinuance Exemption – In McCullough, San Saba, Mills and Lampasas Counties, TX*, AB-1272X, STB served Apr. 27, 2022 (“CTXR”). AATR does not anticipate that any employees will be adversely affected by the proposed discontinuance as AATR has not operated the Lines for many years and has no employees.

Certifications (49 C.F.R. § 1152.50(d)(1)):

A certificate of compliance with the newspaper publication and advance notice requirements set forth at 49 C.F.R. §§ 1105.12 and 1152.50(d)(1), respectively, is attached as Exhibit C. For reasons set forth in the Environmental and Historic Report section below, the

¹ *Oregon Short Line Railroad – Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 354 I.C.C. 76 (1977), modified, 360 I.C.C. 91 (1979).

certification of service requirement at 49 C.F.R. § 1105.11 (transmittal of Environmental/Historic Reports) is inapplicable here.

Environmental/Historic Report (49 C.F.R. §§ 1105.7 and 1105.8):

As a general rule, the Board does not require a carrier seeking to discontinue service over a rail line (as opposed to seeking to abandon it) to prepare and submit a combined Environmental and Historic Report under 49 C.F.R. §§ 1105.6(c) and 1105.8(b).² AATR believes that the Board's general rule applies here, and, accordingly, AATR has dispensed with the preparation of a combined Environmental and Historic Report. AATR does not own any of the tracks over which had operated, and thus has no right to pursue salvage of those tracks. Moreover, AWRR operates over the Lines pursuant to its own class exemption authority, as discussed above. For these reasons, AATR's proposed discontinuance would not result in any track salvage, and thus no rail-to-truck diversions would result to trigger potential air quality (emissions) impacts.

² See, e.g., *Norfolk Southern Railway Company — Discontinuance of Service Exemption — in Isle of Wight, Southampton, Greensville, and Brunswick Counties, Va.*, Docket No. AB 290 (Sub-No. 359X) (STB served Dec. 16, 2013) at 2 (“Because this is a discontinuance proceeding and not an abandonment, . . . no environmental or historical documentation is required”); *Columbus and Greenville Railway Company — Discontinuance of Service Exemption — in Greenwood, MS*, Docket No. AB 297 (Sub-No. 103X) (STB served July 3, 2007) at 2 n.2 (same); *Chillicothe-Brunswick Rail Maintenance Authority—Discontinuance Exemption—in Livingston, Linn, and Chariton Counties, MO*, STB Docket No. AB 1001X (STB served Feb 23, 2007) at 2 n.3 (same).

Respectfully submitted,

By: _____

Robert A. Wimbish

Audrey E. Lane

Fletcher & Sippel LLC

29 North Wacker Drive

Suite 800

Chicago, Illinois 60606-3208

(312) 252-1500

**ATTORNEYS FOR
AUSTIN AREA TERMINAL RAILROAD, INC.**

Dated: November 30, 2022

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 578X

AUSTIN AREA TERMINAL RAILROAD, INC.
— DISCONTINUANCE OF SERVICE EXEMPTION —
IN BASTROP, BURNET, LEE, LLANO, TRAVIS,
AND WILLIAMSON COUNTIES, TEXAS

EXHIBIT A

**CERTIFICATION PURSUANT TO
49 C.F.R. § 1152.50(b) AND
VERIFICATION**

CERTIFICATION AND VERIFICATION

I, William F. Scott II, President of Operations and Leasing of the Austin Area Terminal Railroad, Inc. ("AATR"), under penalty of perjury, hereby certify and verify as follows:

1. I certify that no local AATR traffic has moved over the roughly 162 miles of railroad lines that are the subject of this proceeding, specifically, those located between milepost AUNW-MP 0.0 (SPT-MP 57.00), west of Giddings, to milepost AUNW-MP 154.07 (SPT-MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 miles), in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas, for at least two years; overhead traffic (to the extent any exists) can be rerouted over other lines (or is currently handled by another carrier authorized to conduct common carrier operations over the aforementioned lines); and

2. I further certify that no formal complaint against AATR filed by a user of rail service on the subject lines regarding AATR service either is pending with the Board or a U.S. District Court; or has been decided in favor of the complainant within the past two years.

3. I verify that I have read the foregoing discontinuance notice of exemption; know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief; and state that I am duly authorized to make such verification on behalf of AATR.



NAME William F. Scott II
Title: President of Operations & Leasing
Business Address: 1735 W Cardinal Drive
Beaumont, TX 77705

Dated: 11/28/22

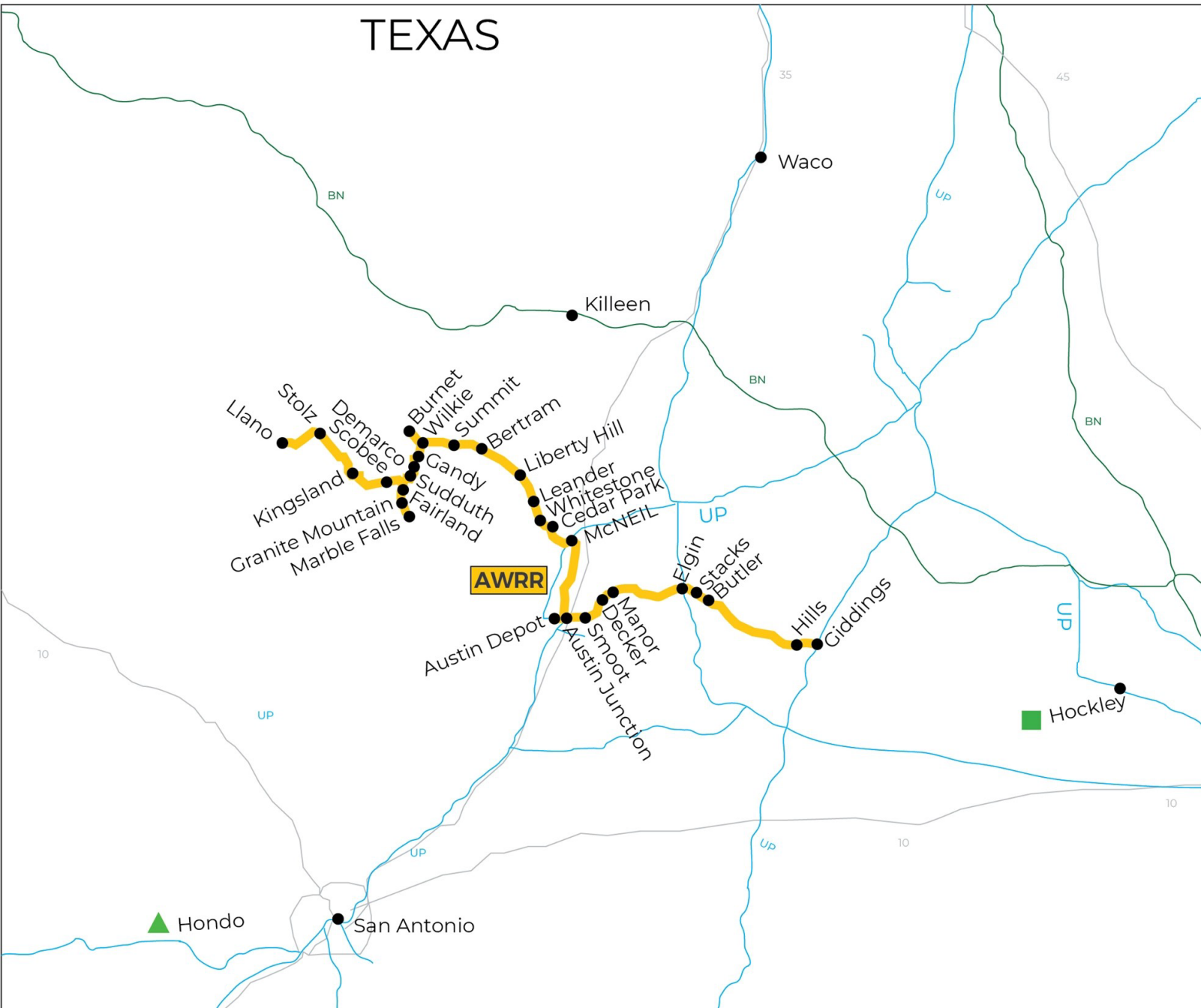
BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 578X

AUSTIN AREA TERMINAL RAILROAD, INC.
— DISCONTINUANCE OF SERVICE EXEMPTION —
IN BASTROP, BURNET, LEE, LLANO, TRAVIS,
AND WILLIAMSON COUNTIES, TEXAS

EXHIBIT B

MAP



Lines formerly operated by Austin
Area Terminal Railroad, Inc.

BEFORE THE
SURFACE TRANSPORTATION BOARD

AB 578X

AUSTIN AREA TERMINAL RAILROAD, INC.
— DISCONTINUANCE OF SERVICE EXEMPTION —
IN BASTROP, BURNET, LEE, LLANO, TRAVIS,
AND WILLIAMSON COUNTIES, TEXAS

EXHIBIT C

**CERTIFICATE OF
SERVICE/PUBLICATION**

CERTIFICATE OF SERVICE AND PUBLICATION

I, Audrey E. Lane, an attorney for Austin Area Terminal Railroad, Inc., for the proceeding before the Surface Transportation Board known as AB 578X, *Austin Area Terminal Railroad, Inc. — Discontinuance of Service Exemption — In Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas*, hereby certify that:

(1) The advance notice requirements of 49 C.F.R. § 1152.50(d)(1) have been satisfied, to wit: on November 18, 2022, written notice of the proposed discontinuance of rail service was sent to the (a) United States Department of Defense, MSDDC-TEA, Attn: Railroads for National Defense; (b) U.S. Department of Agriculture, Chief of the Forest Service; (c) National Center for Recreation and Conservation, National Park Service; (d) the Texas Department of Transportation. Copies of the correspondence indicating the method of transmission and addresses for these agencies are attached hereto as Attachment 1; and

(2) A newspaper notice was published in the following newspapers of general circulation:

Bastrop County, Burnet County, Lee County, Llano County, Travis County,
Williamson County - *Austin American Statesman*
Publication date: November 28, 2022

Copies of the Notice and Affidavit of Publication are attached hereto as Attachment 2.



Audrey E. Lane
Attorney for Austin Area Terminal Railroad,
Inc.

Dated: November 30, 2022

ATTACHMENT 1

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

AUDREY E. LANE
(312) 252-1518
alane@fletcher-sippel.com

November 18, 2022

Mr. Randy Moore
Chief, Forest Service
U.S. Department of Agriculture
1400 Independence Avenue S.W.
Washington, DC 20250-1111
Email: randy.moore@usda.gov

Re: **AB 578X**
Austin Area Terminal Railroad, Inc. — Discontinuance of Service Exemption —
In Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, TX

Dear Chief Moore:

On or after November 28, 2022, Austin Area Terminal Railroad, Inc. (“AATR”) intends to file with the Surface Transportation Board (“STB”) a notice of exemption pursuant to 49 C.F.R. Part 1152, subpart F – *Exempt Abandonments and Discontinuances of Service and Trackage Rights*, to discontinue common carrier service over approximately 162 miles of railroad line located between milepost AUNW-MP 0.0 (SPT-MP 57.00), west of Giddings, to milepost AUNW-MP 154.07 (SPT-MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 miles) in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas (the “Lines”). The Lines traverse United States Postal Service ZIP Codes 78643, 78609, 78639, 78654, 78611, 78605, 78642, 78641, 78646, 78630, 78717, 78729, 78651, 78727, 78759, 78758, 78766, 78757, 78752, 78751, 78722, 78702, 78725, 78721, 78724, 78653, 78621, 78650, 78659 and 78942. The proceeding will be docketed as STB Docket No. AB 578X. A map depicting the Lines is enclosed herewith.

This proceeding involves AATR’s discontinuance of common carrier service over the Lines, which AATR understands are owned by Capital Metropolitan Transportation Authority and over which Austin Western Railroad, L.L.C. (a railroad common carrier unaffiliated with AATR) currently provides common carrier service. Because AATR does not own the Lines, it cannot seek (and, thus, is not seeking) authorization to abandon the Lines. AATR understands the question of whether the Lines contain federally-granted rights-of-way is inapplicable under the circumstances. The Lines are not suited at this time for alternative public use. Any documentation in the railroad’s possession relevant to the subject discontinuance notice of exemption (if any) will be made available promptly to those requesting it.

If you have any questions about the notice of exemption that AATR plans soon to file, please review the applicable regulations or contact me at 312-252-1518 or the Surface Transportation Board, 395 E Street SW Washington, DC 20423-0001; TEL: (202) 245-0230.

Very truly yours,

A handwritten signature in black ink, appearing to read "Audrey Lane". The signature is fluid and cursive, with the first name "Audrey" and last name "Lane" clearly distinguishable.

Audrey E. Lane
Attorney for Austin Area Terminal Railroad, Inc.

AEL/eg
Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

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Fax: (312) 252-2400
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AUDREY E. LANE
(312) 252-1518
alane@fletcher-sippel.com

November 18, 2022

Military Surface Deployment & Distribution Command
Transportation Engineering Agency
Attn: SDTE-SA (Railroads for National Defense)
1 Soldier Way, Bldg. 1900W
Scott AFB, IL 62225-50067

Re: **AB 578X**
Austin Area Terminal Railroad, Inc. — Discontinuance of Service Exemption —
In Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, TX

Dear Sir or Madam:

On or after November 28, 2022, Austin Area Terminal Railroad, Inc. (“AATR”) intends to file with the Surface Transportation Board (“STB”) a notice of exemption pursuant to 49 C.F.R. Part 1152, subpart F – *Exempt Abandonments and Discontinuances of Service and Trackage Rights*, to discontinue common carrier service over approximately 162 miles of railroad line located between milepost AUNW-MP 0.0 (SPT-MP 57.00), west of Giddings, to milepost AUNW-MP 154.07 (SPT-MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 miles) in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas (the “Lines”). The Lines traverse United States Postal Service ZIP Codes 78643, 78609, 78639, 78654, 78611, 78605, 78642, 78641, 78646, 78630, 78717, 78729, 78651, 78727, 78759, 78758, 78766, 78757, 78752, 78751, 78722, 78702, 78725, 78721, 78724, 78653, 78621, 78650, 78659 and 78942. The proceeding will be docketed as STB Docket No. AB 578X. A map depicting the Lines is enclosed herewith.

This proceeding involves AATR’s discontinuance of common carrier service over the Lines, which AATR understands are owned by Capital Metropolitan Transportation Authority and over which Austin Western Railroad, L.L.C. (a railroad common carrier unaffiliated with AATR) currently provides common carrier service. Because AATR does not own the Lines, it cannot seek (and, thus, is not seeking) authorization to abandon the Lines. AATR understands the question of whether the Lines contain federally-granted rights-of-way is inapplicable under the circumstances. The Lines are not suited at this time for alternative public use. Any documentation in the railroad’s possession relevant to the subject discontinuance notice of exemption (if any) will be made available promptly to those requesting it.

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Very truly yours,

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Audrey E. Lane
Attorney for Austin Area Terminal Railroad, Inc.

AEL/eg
Enclosure

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

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Fax: (312) 252-2400
www.fletcher-sippel.com

AUDREY E. LANE
(312) 252-1518
alane@fletcher-sippel.com

November 18, 2022

Mr. Bob Ratcliffe
Division Chief, Conservation and Outdoor Recreation
National Park Service
1849 C Street NW
Washington, DC 20240-0001
Email: Bob_Ratcliffe@nps.gov

Re: **AB 578X**
Austin Area Terminal Railroad, Inc. — Discontinuance of Service Exemption —
In Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, TX

Dear Chief Ratcliffe:

On or after November 28, 2022, Austin Area Terminal Railroad, Inc. (“AATR”) intends to file with the Surface Transportation Board (“STB”) a notice of exemption pursuant to 49 C.F.R. Part 1152, subpart F – *Exempt Abandonments and Discontinuances of Service and Trackage Rights*, to discontinue common carrier service over approximately 162 miles of railroad line located between milepost AUNW-MP 0.0 (SPT-MP 57.00), west of Giddings, to milepost AUNW-MP 154.07 (SPT-MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 miles) in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, Texas (the “Lines”). The Lines traverse United States Postal Service ZIP Codes 78643, 78609, 78639, 78654, 78611, 78605, 78642, 78641, 78646, 78630, 78717, 78729, 78651, 78727, 78759, 78758, 78766, 78757, 78752, 78751, 78722, 78702, 78725, 78721, 78724, 78653, 78621, 78650, 78659 and 78942. The proceeding will be docketed as STB Docket No. AB 578X. A map depicting the Lines is enclosed herewith.

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Audrey E. Lane
Attorney for Austin Area Terminal Railroad, Inc.

AEL/eg
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(312) 252-1518
alane@fletcher-sippel.com

November 18, 2022

Texas Department of Transportation
Rail Division
6230 E. Stassney Ln.
Austin, TX 78744

Re: **AB 578X**
Austin Area Terminal Railroad, Inc. — Discontinuance of Service Exemption —
In Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, TX

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A handwritten signature in black ink, appearing to read "Audrey E. Lane". The signature is fluid and cursive, with the first name "Audrey" being more prominent than the last name "Lane".

Audrey E. Lane
Attorney for Austin Area Terminal Railroad, Inc.

AEL/eg
Enclosure

LOCALiQ

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STATE OF TEXAS, COUNTIES OF BASTROP, BELL, BLANCO, BURNET, CALDWELL, COMAL, CORYELL, FAYETTE, GILLESPIE, GUADALUPE, HAYS, KERR, LAMPASAS, LEE, LLANO, MILAM, TRAVIS & WILLIAMSON

The Austin American Statesman, a newspaper that is generally circulated in the counties of Bastrop, Bell, Blanco, Burnet, Caldwell, Comal, Coryell, Fayette, Gillespie, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Travis and Williamson, State of Texas, printed and published and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated on:

11/28/2022

and that the fees charged are legal.
Sworn to and subscribed before on 11/28/2022

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NOTICE OF INTENT TO DISCONTINUE RAIL SERVICE

STB DOCKET NO. AB 578X
Austin Area Terminal railroad, Inc. ("AATR") gives notice that on or after November 28, 2022, it intends to file with the Surface Transportation Board ("STB"), Washington, DC 20423, a notice of exemption under 49 C.F.R. 1152 Subpart F - Exempt Abandonments and Discontinuances of Service and Trackage Rights permitting AATR to discontinue common carrier service on a line beginning at AUNW-MP 0.0 (SPT-MP 57.00), west of Giddings, to milepost AUNW-MP 154.07 (SPT-MP 99.04), at Llano, including the Marble Falls Branch (6.43 miles), the Scobee Spur (3.3 miles), and the Burnet Spur (0.93 mile), for approximately 162 miles, in Bastrop, Burnet, Lee, Llano, Travis, and Williamson Counties, TX. The Line traverses United States Postal Service ZIP Codes 78643, 78609, 78637, 78654, 78611, 78605, 78642, 78641, 78646, 78630, 78717, 78729, 78651, 78727, 78759, 78798, 78766, 78757, 78752, 78751, 78722, 78702, 78725, 78721, 78726, 78653, 78621, 78650, 78659, 78742. The proceeding will be docketed as STB Docket No. AB 578X. The proposed action entails the discontinuance of rail common carrier service over the Line, but not abandonment. Accordingly, no Environmental Assessment will be prepared as part of this proceeding. Appropriate offers of financial assistance to subsidize AATR rail service can be filed with the Board. Any pleading pertaining to offers of financial assistance or responding generally to the proposed discontinuance of service must be filed directly with the STB's Section of Administration, Office of Proceedings, 395 E Street, S.W., Washington, DC 20423, and must be served on AATR's representative in accordance with the STB's rules for filings and service as set forth at 49 C.F.R. part 1104. Questions regarding offers of financial assistance 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 AATR's representative: Audrey E. Lane, FLETCHER & SIPPL LLC, 26 North Wacker Drive, #800, Chicago, IL 60606 (phone: 312-252-1500; fax 312-252-2400).

11-28/2022