

307270

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

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

ENTERED
Office of Proceedings
October 6, 2023
Part of
Public Record

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

ROBERT A. WIMBISH

(312) 252-1504
rwimbish@fletcher-sippel.com

October 6, 2023

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 20423-0001

Re: **Docket No. FD 36733**
Buckingham Branch Railroad Company — Acquisition and Operation
Exemption — Norfolk Southern Railway Company

Certification of compliance with the advance labor notice requirements of
49 C.F.R. § 1150.42(e)

Dear Ms. Brown:

Pursuant to 49 C.F.R. § 1150.42(e), Buckingham Branch Railroad Company (BBRR) certifies that notice of BBRR's plan to purchase and operate certain Norfolk Southern Railway Company (NSR) lines (as described in the attached notice) was supplied to NSR employees by way of posting of the attached notice on at the following applicable NSR workplaces on the dates listed below:

405 W. 6th Street
Richmond, VA 23224
Posted on October 5, 2023

3000 Angier Avenue
Durham, NC 27703
Posted on October 6, 2023

The Brotherhood of Maintenance of Way Employees (BMWE) represents employees on the lines. Accordingly, the attached notice was served on the BMWE national offices via email on October 5, 2023, as follows:

Dale E. Bogart, Jr.
National Division Secretary/Treasurer
dbogart@bmwe.org

FLETCHER & SIPPEL LLC

Ms. Cynthia T. Brown
Office of Proceedings
October 6, 2023

BBRR intends shortly to file a notice of exemption to purchase the subject lines, and to operate them.

Respectfully submitted,

R. A. Wimbish

Robert A. Wimbish
Attorney for Buckingham Branch Railroad Company

RAW/bjs

Attachment

NOTICE OF INTENT TO PURCHASE RAIL LINES

Buckingham Branch Railroad Company (BBRR) provides notice under 49 C.F.R. § 1150.42(e) of its intent to purchase from the Norfolk Southern Railway Company (“NSR”) interconnected lines of railroad between milepost F86.0 at Burkeville, Virginia, and milepost F65.8 at Keysville, Virginia, and from milepost D0.0 at Keysville to milepost D37.9 at Clarksville, Virginia (collectively, the “Lines”). BBRR has for more than 14 years operated the Lines under a lease arrangement with NSR pursuant to *Buckingham Branch Railroad Company – Change in Operator Exemption – Rail Line in Nottoway, Lunenburg, Charlotte, and Mecklenburg Counties, VA*, FD 35226 (STB served May 7, 2009), *except* for the portion of the Lines extending between mileposts F84.8 and F86.0 (the “Segment”). NSR currently provides common carrier service over the Segment, which will be included in the sale to BBRR.

Given the limited nature and scope of the transaction (in light of BBRR’s longstanding operation of all but roughly 1.2 miles of the Lines that are the subject of the proposed transaction), BBRR does not anticipate the need to hire any new or additional employees before or upon closing.

For any other questions concerning this notice, please forward inquiries to BBRR as follows:

Buckingham Branch Railroad Company
1063 Main Street
PO Box 336
Dillwyn, Virginia 23936