

Pioneer

Rail & Transload

307695

ENTERED
Office of Proceedings
December 21, 2023
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Public Record

December 21, 2023

Cynthia T Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Michael Olender
Principal
Pioneer Rail & Transload of Hawthorne, Florida,
a Division of Pioneer Storage Company of Florida, LLC
Mailing:
223 Gordon Chapel Road
Hawthorne, FL 32640

Re: Pioneer Rail & Transload of Hawthorne, Florida, a Division of Pioneer Storage Company of Florida, LLC
CSX Customer INFO/Rail ID - Customer Mile Post/Marker: S705 IIDS Key: S 7052203
Patron Code: PBD201 National Account CIF: 1191336709000 Length of Rail: 5,569 feet, 4 switches
Lease and Operation Exemption
Surface Transportation Board Finance Docket FD36748

Dear Cynthia Brown,

Enclosed for filing in the above referenced docket is a verified notice of exemption filed under 49 U.S.C. § 10901.
The filing fee has been paid via pay.gov.

Sincerely,

DocuSigned by:

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Michael Olender
Principal

Pioneer Rail & Transload of Hawthorne, Florida, a Division of Pioneer Storage Company of Florida, LLC

Enclosure

FILED
December 21, 2023
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
December 21, 2023
SURFACE
TRANSPORTATION BOARD

**Before the
SURFACE TRANSPORTATION BOARD
STB Docket No. FD 36748**

**Pioneer Rail & Transport of Hawthorne, Florida, a Division of Pioneer Storage Company of Florida, LLC
- OPERATION EXEMPTION – LINE IN HAWTHORNE, FLORIDA**

VERIFIED NOTICE OF EXEMPTION UNDER 49 U.S.C. §10901

Michael Olender

Principal

***Pioneer Rail & Transload of Hawthorne, Florida,
a Division of Pioneer Storage Company of Florida, LLC***

Mailing:

223 Gordon Chapel Road

Hawthorne, FL 32640

Michael@PioneerRT.com

Renner Jantz

Legal Counsel

***Pioneer Rail & Transload of Hawthorne, Florida,
a Division of Pioneer Storage Company of Florida, LLC***

Mailing:

223 Gordon Chapel Road

Hawthorne, FL 32640

Info@PioneerRT.com

Date: December 21, 2023

**Before the
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36748

**Pioneer Rail and Transload of Hawthorne, FL, a Division of Pioneer Storage Company of Florida, LLC
- OPERATION EXEMPTION – LINE IN Hawthorne, Florida**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. §10901**

This Verified Notice is filed pursuant to 49 C.F.R. §1150.31 by Pioneer Rail & Transload of Hawthorne, Florida, a Division of Pioneer Storage Company of Florida, LLC (“PRT”), a non-carrier, to exempt from regulation under 49 U.S.C. §10901, its operation of 5,569 feet of existing railroad trackage inside an existing industrial facility (the “Rail Line”). A map of the Rail Line is attached as Exhibit A. After the Notice becomes effective, PRT will provide common carrier rail service for customers located or to be located within the facility.

NOTICE

In accordance with 49 C.F.R. §1150.33, PRT hereby provides the following information:

- (a) The full name and address of Applicant: Pioneer Rail & Transload of Hawthorne, Florida, a Division of Pioneer Storage Company of Florida, LLC, 223 Gordon Chapel Road, Hawthorne, FL 32640
- (b) The name, address, and telephone number of the representative of PRT who should receive correspondence: Renner Jantz, Legal Counsel, Pioneer Rail & Transload of Hawthorne, FL, a Division of Pioneer Storage Company of Florida, LLC, 223 Gordon Chapel Road, Hawthorne, FL 32640; 405/326-6976. Michael Olender, Principal, Pioneer Rail & Transload of Hawthorne, FL, a Division of Pioneer Storage Company of Florida, LLC, 223 Gordon Chapel Road, Hawthorne, FL 32640; 727/366-6658.

(c) The facility is owned by Pioneer Rail & Transport of Hawthorne, Florida, a Division of Pioneer Storage Company of Florida, LLC (“PRT”). PRT has formed a new division, PRT, to operate as a common carrier railroad on the property to perform rail service for PRT and other shippers that would locate at the facility. PRT will be entering into an operating agreement for the Rail Line and converting the Rail Line from private track to a common carrier line of railroad.¹

(d) Currently there are no common carrier operations on the track that will be the Rail Line; the track is operated as private track by the owner of the facility, Pioneer Rail & Transport of Hawthorne, Florida, a Division of Pioneer Storage Company of Florida, LLC. Additional shippers are anticipated to locate to the facility. After the effective date of this Notice and the commencement of the operating agreement, PRT will operate the Rail Line as a common carrier freight operator.

(e) Brief Summary of the Proposed Transaction:

Currently, the owner of the facility operates the tracks as part of its industrial facility located in Hawthorne, FL. Incidental contract switching services are provided to other customers located at the facility. The owner of the facility anticipates that additional customers will be locating at the facility. PRT is a newly formed entity that will be entering into an operating agreement that will give it control of the Rail Line and other tracks within in the facility. PRT will operate the portion of the tracks designated as the Rail Line as shown on the map attached hereto as Exhibit A, as common carrier tracks, and the other tracks shown on the map as non-jurisdictional yard and industrial tracks. PRT will operate as a common carrier switching carrier. PRT anticipates entering into an interchange agreement with CSX.

The conversion of private track to common carrier line of railroad by PRT is consistent with Board precedent in cases such as Effingham Railroad Company – Petition for Declaratory Order - Construction at Effingham, IL, STB Finance Docket No. NOR 41986, 1997 WL 564155 (served Sept. 12, 1997).

¹ PRT will also be operating the other tracks at the facility as non-jurisdictional yard and industrial tracks, and may construct additional non-jurisdictional yard or industrial tracks at the facility.

(1) The name and address of the non-carrier company that currently owns the Rail Line (as private track): PIONEER RAIL & TRANSLOAD OF HAWTHORNE, FLORIDA, a DIVISION OF PIONEER STORAGE COMPANY OF FLORIDA, LLC, 223 Gordon Chapel Road, Hawthorne, FL 32640.

(2) PRT expects to commence operations on or after January 21, 2024, more than thirty days after the filing of this Notice of Exemption.

(3) The Rail Line is located in Hawthorne, FL. There is a milepost located on the Rail Line described as S705, Hawthorne, Florida.

(4) The total mileage to be acquired and operated as the Rail Line is 5,569 feet.

(f) Attached as Exhibit A to this Notice of Exemption is a map of the Rail Line

highlighted in green. The map also shows associated 49 U.S.C. §10906 non- jurisdictional yard and industrial tracks that are located within the facility.

(g) PRT certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier.³

(h) No interchange commitments are being imposed on PRT's operations.

³ PRT additionally certifies that its projected revenues after the transaction will not exceed \$5,000,000 per year.

Labor Protection

Pursuant to 49 U.S.C. §10901(c), approval of this transaction may not be subjected to labor protections.

Environmental and Historic Reports

Pursuant to 49 C.F.R. §1105.6(c)(2)(i), no environmental documentation should be required because this proceeding involves operating authority under 49 U.S.C. §10901 for continued operations (albeit common carrier operations instead of private switching) that will not exceed the thresholds established in 49 C.F.R. §1105.7(e)(4) or (e)(5).

No historic report under 49 C.F.R. §1105.8(b)(1) should be required because this Notice of Exemption merely involves a notice of exemption for operating authority pursuant to which private industrial switching will be converted to common carrier operations, and Board approval will be required to discontinue or abandon any service. PRT has no plans to dispose of or alter properties subject to the Board's jurisdiction that are 50 years old or older.

Caption Summary

Attached hereto as Exhibit B is the caption summary required by 49 C.F.R. §1150.34.

Conclusion

Accordingly, PRT requests that the Board issue a notice allowing the common carrier operations of PRT to become

Respectfully submitted,

DocuSigned by:



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Michael Olender

Principal

**Pioneer Rail & Transload of Hawthorne, Florida, a Division of
Pioneer Storage Company of Florida, LLC**

Mailing:

223 Gordon Chapel Road

Hawthorne, FL 32640

Michael@PioneerRT.com

DocuSigned by:



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Renner Jantz

Legal Counsel

**Pioneer Rail & Transload of Hawthorne, Florida, a Division of
Pioneer Storage Company of Florida, LLC**

Mailing:

223 Gordon Chapel Road

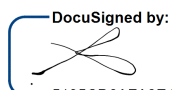
Hawthorne, FL 32640

Info@PioneerRT.com

Dated: December 21, 2023

VERIFICATION

I, Michael Olender, Principal of Pioneer Rail & Transload of Hawthorne, Florida, a Division of Pioneer Storage
Executed on December 21, 2023
Michael Olender

DocuSigned by:


5195CD6AF3E413...

Michael Olender, Principal

EXHIBIT A MAP



Pioneer Rail & Transload
223 Gordon Chapel Rd.
Hawthorne, FL 32640

Mile Marker S705

CSX Track Info:

IIDS Key: S7052203

Patron Code PBD201

National Account CIF: 1191336709000

Length of Rail: 5,569 feet; 4 switches

EXHIBIT B

CAPTION SUMMARY

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36748

**PIONEER RAIL & TRANSLOAD OF HAWTHORNE, FLORIDA, a DIVISION OF PIONEER STORAGE
COMPANY OF FLORIDA, LLC
- OPERATION EXEMPTION – LINE IN HAWTHORNE, FLORIDA**

This Verified Notice is filed pursuant to 49 C.F.R. §1150.31 by PIONEER RAIL & TRANLOAD OF HAWTHORNE, FLORIDA, a DIVISION OF PIONEER STORAGE COMPANY OF FLORIDA, LLC (“PRT”) a non-carrier, to exempt from regulation under 49 U.S.C. §10901, its operation of 5,569 feet of existing railroad track inside an existing industrial facility (the “Rail Line”). After approval of the Notice, PRT will provide common carrier switching services for the owner of the facility as well as other customers located or to be located within the facility.

Comments must be filed with the Board and served on PRT’s representative, RENNER JANTZ OR MICHAEL OLENDER, PIONEER RAIL & TRANSLOAD OF HAWTHORNE, FL, a DIVISION OF PIONEER STORAGE COMPANY OF FLORIDA, LLC, 223 Gordon Chapel Rd Hawthorne, FL 32640; 405/326-6976 and 727/366-6658.

The Notice is filed under 49 C.F.R. §1150.31. If the 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. The filing of a petition to revoke will not automatically stay the transaction.

Board decisions and notices are available at www.stb.gov. Decided: December 21, 2023.

By the Board, Mai Dinh, Director, Office of Proceedings.