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November 18, 2025

310243

VIA ELECTRONIC FILING

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

ENTERED
Office of Chief Counsel
November 18, 2025
Part of
Public Record

Re: **Docket No. FD 36888**
Florida Midland Railroad Company, LLC --
Operation Exemption -- In Haines City, Florida

Dear Ms. Brown:

Attached for filing in the above-captioned proceeding is the **Verified Notice of Exemption of Florida Midland Railroad Company, LLC Pursuant to 49 C.F.R. § 1150.32**, dated November 18, 2025. The sum of \$2,500, representing the appropriate fee for this filing, has been tendered electronically via Pay.gov.

If you have any questions regarding this filing, please feel free to contact me.
Thank you for your assistance on this matter.

Respectfully submitted,

/s/ *Thomas J. Healey*

Thomas J. Healey
Attorney for Florida Midland
Railroad Company, LLC

TJH:tjl

Attachment

FEE RECEIVED
November 18, 2025
SURFACE
TRANSPORTATION BOARD

FILED
November 18, 2025
SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. FD 36888

FLORIDA MIDLAND RAILROAD COMPANY, LLC
-- OPERATION EXEMPTION --
IN HAINES CITY, FLORIDA

**VERIFIED NOTICE OF EXEMPTION
OF
FLORIDA MIDLAND RAILROAD COMPANY, LLC
PURSUANT TO 49 C.F.R. § 1150.32**

Thomas J. Litwiler
Thomas J. Healey
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500

**ATTORNEYS FOR FLORIDA MIDLAND
RAILROAD COMPANY, LLC**

Dated: November 18, 2025

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. FD 36888

FLORIDA MIDLAND RAILROAD COMPANY, LLC
-- OPERATION EXEMPTION --
IN HAINES CITY, FLORIDA

**VERIFIED NOTICE OF EXEMPTION
OF
FLORIDA MIDLAND RAILROAD COMPANY, LLC
PURSUANT TO 49 C.F.R. § 1150.32**

Pursuant to 49 C.F.R. § 1150.31, et seq., Florida Midland Railroad Company, LLC (“FMID”), a Class III rail carrier, hereby files this Verified Notice of Exemption to operate approximately 2.87 miles of previously-abandoned rail trackage in Haines City, Florida (the “Haines City Spur”) owned by the City of Haines City (the “City”). Based on projected revenues on the Haines City Spur, FMID expects to remain a Class III rail carrier after consummation of the transaction proposed herein.

In accordance with the requirements of 49 C.F.R. § 1150.33, FMID submits the following information:

Name and Address of Applicant: 49 C.F.R. § 1150.33(a)

The full name and address of the rail carrier applicant herein is as follows:

Florida Midland Railroad Company, LLC
3001 Orange Avenue
Apopka, FL 32703
(407) 889-3200

Applicant's Representative: 49 C.F.R. § 1150.33(b)

FMID's representative to whom correspondence regarding this transaction should be sent is as follows:

Thomas J. Healey
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, IL 60606-3208
(312) 252-1500

Statement Concerning Agreement: 49 C.F.R. § 1150.33(c)

FMID and the City have finalized a Rail Operating Agreement providing for FMID's provision of rail service on the City's Haines City Spur.

Operation of the Property: 49 C.F.R. § 1150.33(d)

FMID will operate and provide rail common carrier service on the Haines City Spur pursuant to FMID's operating agreement with the City.

Summary of the Transaction: 49 C.F.R. § 1150.33(e)

Petitioner FMID is a Class III common carrier by rail which owns and operates two unconnected rail lines in central Florida, extending from Winter Haven to Gordonville and from West Lake Wales to Frostproof. Florida Midland Railroad Company – Acquisition and Operation Exemption – Rail Lines of CSX Transportation, Inc., Docket No. FD 31151 (ICC served Nov. 27, 1987); Florida Midland Railroad Company – Acquisition Exemption – Lines of CSX Transportation, Inc., Docket No. FD 34031 (STB served May 14, 2001). The total distance of FMID's existing lines is approximately 24 miles.¹

¹ A third FMID line, extending from Wildwood to Leesburg, Florida, was abandoned or railbanked in 2004, 2005 and 2008. Florida Midland Railroad Company – Abandonment

FMID is a wholly-owned subsidiary of Regional Rail, LLC, which is itself an indirect subsidiary of 3i RR Holdings GP LLC, through a chain of intermediary companies.²

The Haines City Spur extends from a connection with CSX Transportation, Inc. (“CSXT”) at Valuation Station 1+50 in Haines City to the end of line at approximately Valuation Station 153+00 at the fenceline of the Haines City Industrial Park southeast of the intersection of Detour Road and Lake Marion Road/County Road 544, a distance of approximately 2.87 miles.

The Haines City Spur historically was owned by the Atlantic Coast Line Railroad Company, which became the Seaboard Coast Line Railroad Company in 1967 and CSXT in 1986. The Haines City Spur was abandoned in two segments,³ and today is owned by the City, which acquired it from CSXT in 2004.

Pursuant to the agreement between FMID and the City, FMID will provide rail service on the Haines City Spur as a common carrier. The City will remain the non-common carrier owner of the Haines City Spur. See Wisconsin Central Ltd. v. STB, 112 F.3d 881 (7th Cir. 1997).

Exemption – In Sumter and Lake Counties, FL, Docket No. AB-325 (Sub-No. 2X) (STB served Feb. 23, 2001); Florida Midland Railroad Company, Inc. – Abandonment Exemption – In Sumter County, FL, Docket No. AB-325 (Sub-No. 4X) (STB served Apr. 1, 2008). FMID converted from a corporation to a limited liability company on December 31, 2021.

² See 3i RR Holdings GP LLC, et al. – Control Exemption – Regional Rail Holdings, LLC, Docket No. FD 36289 (STB served Apr. 19, 2019); 3i RR Holdings GP LLC, et al. and Regional Rail, LLC – Control Exemption – Florida Central Railroad Company, Inc., Florida Midland Railroad Company, Inc. and Florida Northern Railroad Company, Inc., Docket No. FD 36365 (STB served Nov. 22, 2019) .

³ See Seaboard Coast Line Railroad Co. – Abandonment – Between Milepost AVC 830.11 and Milepost AVC 832.0 in Haines City, FL, Docket No. AB-55 (Sub-No. 58) (ICC served June 11, 1982); CSX Transportation, Inc. – Abandonment – In Polk County, FL, Docket No. AB-55 (Sub-No. 450X) (ICC served Apr. 7, 1993).

The complete name and address of the owner of the Haines City Spur is as follows:

City of Haines City, Florida
620 E. Main Street
Haines City, FL 33844

FMID intends to initiate operations on the Haines City Spur on or shortly after the date when this exemption becomes effective.

Map: 49 C.F.R. § 1150.33(f)

A map showing the Haines City Spur and the surrounding area is attached as Exhibit A to this Notice.

Certificate of Compliance: 49 C.F.R. § 1150.33(g)

A Certificate of Compliance with the provisions of 49 C.F.R. § 1150.33(g) stating that FMID's projected annual revenues will not result in the creation of a Class I or II rail carrier is attached as Exhibit B to this Notice.

Interchange Commitments: 49 C.F.R. § 1150.33(h)

The proposed operation of the Haines City Spur by FMID does not involve any provision or agreement that would limit future interchange with a third-party connecting carrier.

Advance Notice: 49 C.F.R. § 1150.32(e)

The projected annual operating revenue of FMID does not exceed \$5 million, and accordingly the advance notice requirements of 49 C.F.R. § 1150.32(e) are not applicable to this transaction. See Exhibit B hereto.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

Under 49 C.F.R. § 1105.6(c)(2), FMID's proposed operation of the Haines City Spur is exempt from environmental reporting requirements. The proposed transaction will not

result in significant changes in carrier operations, i.e., changes that exceed the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5).

Under 49 C.F.R. § 1105.8(b)(1), FMID's operation of the Haines City Spur also is exempt from historic preservation reporting requirements. The proposed transaction is for the purpose of providing common carrier rail operations. Further Surface Transportation Board approval is required to discontinue any service and there are no plans to dispose of or alter properties subject to Board jurisdiction that are fifty years old or older.

Caption Summary: 49 C.F.R. § 1150.34

A caption summary in appropriate form is attached as Exhibit C to this Notice.

Respectfully submitted,

/s/ *Thomas J. Healey*

By: _____
Thomas J. Litwiler
Thomas J. Healey
Fletcher & Sippel LLC
29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208
(312) 252-1500

**ATTORNEYS FOR FLORIDA MIDLAND
RAILROAD COMPANY, LLC**

Dated: November 18, 2025



CERTIFICATION

State of Florida)
) ss:
County of Orange)

Matthew J. Schwerin, being duly sworn, hereby certifies that the projected annual rail revenues of Florida Midland Railroad Company, LLC as a result of the transaction proposed herein will not exceed five million dollars (\$5,000,000.00) and will not result in the creation of a Class II or Class I rail carrier under the provisions of 49 C.F.R. § 1201 (1-1).



Matthew J. Schwerin
Vice President, Western Region

SUBSCRIBED AND SWORN TO
before me this 14 day
of November, 2025.


Notary Public

My Commission expires:

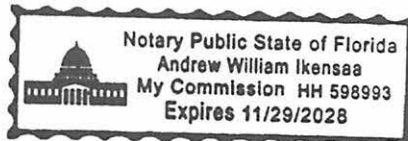


EXHIBIT C
CAPTION SUMMARY

OCC

FR-4915-01-P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36888]

Florida Midland Railroad Company, LLC – Operation Exemption – In Haines City, Florida

Florida Midland Railroad Company, LLC (“FMID”), a Class III rail carrier, has filed a verified notice of exemption under 49 C.F.R. part 1150, subpart D to operate a previously-abandoned rail line in Haines City, Florida (the “Haines City Spur”) extending from a connection with CSX Transportation, Inc. at approximately Valuation Station 1+50 in Haines City to the end of line at approximately Valuation Station 153+00 at the fenceline of the Haines City Industrial Park southeast of the intersection of Detour Road and Lake Marion Road/County Road 544, a distance of approximately 2.87 miles. The Haines City Spur is owned by the City of Haines City.

FMID certifies that the proposed operation of the Haines City Spur does not involve an interchange commitment. FMID further certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class I or Class II rail carrier and will not exceed \$5 million.

The transaction may be consummated no earlier than the effective date of the exemption (30 days after the verified notice was filed).

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.

The filing of a petition to revoke will not automatically stay the effectiveness of the exemption.

Petitions for stay must be filed no later than December 11, 2025 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36888, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street, S.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on FMID's representative, Thomas J. Healey, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to FMID, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

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

Decided: December __, 2025.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

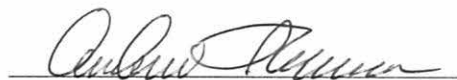
VERIFICATION

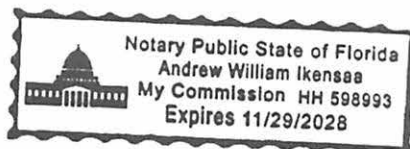
State of Florida)
) ss:
County of Orange)

Matthew J. Schwerin, being duly sworn, deposes and says that he is Vice President, Western Region of Florida Midland Railroad Company, LLC, that he has read the foregoing Notice of Exemption and knows the facts asserted therein, and that the same are true as stated.


Matthew J. Schwerin

SUBSCRIBED AND SWORN TO
before me this 14 day
of November, 2025.


Notary Public



My Commission expires: