

ENTERED
Office of Chief Counsel
December 29, 2025
Part of
Public Record

Proviso Railroad, Inc., an Illinois corporation) Finance Docket # FD 36874
)

By: Max Callahan, Esq.
Fulcrum Rail
180 North Wacker Drive, Suite 400
Chicago, Illinois 60606
312-629-0222

Proviso Rail, Inc.

Date Filed: December 29, 2025

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Pursuant to 49 C.F.R. §1150.31, et. seq. and 49 U.S.C. §10502(a), Proviso Railroad, Inc., a non-carrier, filed verified notice of exemption from 49 U.S.C. §10901 on December 3, 2025, for Proviso Railroad, Inc.’s acquisition by Operating Agreement from L. Neill Cartage Co., Inc. (hereinafter Neill Cartage), and operation pursuant to operating agreement with Proviso Railroad of approximately 712.5 feet (.14 mile) of existing railroad right-of-way and trackage and transloading facility owned by L. Neill Cartage Co., Inc., in Berkeley, Illinois, (hereinafter “Berkeley Transload Facility”). Proviso Railroad, Inc. supplements the information provided in its Verified Notices of Exemption filed December 3, 2025, as follows:

-Pursuant to 49 C.F.R. 1150.33(h), Proviso Railroad, Inc. certifies that the proposed acquisition or operation of the rail line in question does not involve a provision or agreement that may limit future interchange with a third-party connecting carrier, whether by outright prohibition, per-car penalty, adjustment in the purchase price or rental, positive economic inducement, or other means.

-Pursuant to 49 C.F.R. 1201.1-1, revenues will not exceed that which would qualify it as a Class III carrier, as certified in Proviso Railroad, Inc.'s Verified Notice of Exemption.

-Appendix 1-B to Proviso Railroad, Inc.'s Verified Notices of Exemption misidentified the subject track. Amended Appendix 1-B is attached hereto.

-Proviso Railroad, Inc. is acquiring the track and associated right of way. Proviso Railroad, Inc. is not acquiring the transload facility. Proviso Railroad, Inc. will occupy and operate the portions of the property that are associated with the rail operations absent acquisition.

Respectfully submitted,

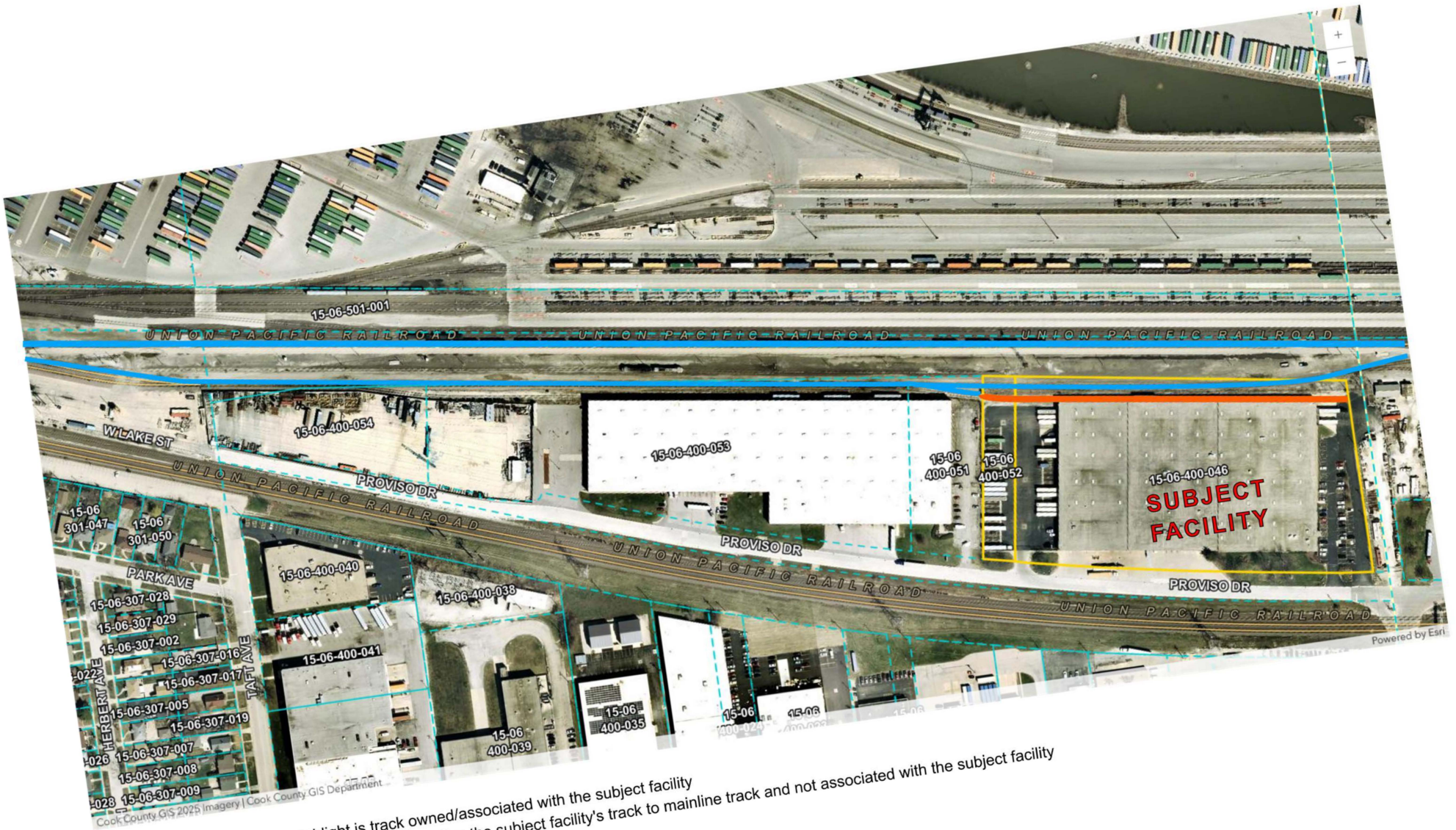
Proviso Railroad, Inc., an Illinois corporation

By: Max Callahan, Esq.
Fulcrum Rail, L.L.C.
180 North Wacker Drive, Suite 400
Chicago, Illinois 60606
312-629-0222

*Attorney for Applicant
in Finance Docket Number FD36874*

Applicant in Finance Docket Number: FD36874

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Orange highlight is track owned/associated with the subject facility
 Blue highlight is track connecting the subject facility's track to mainline track and not associated with the subject facility

Berkeley Transload Facility
 5400 Proviso Drive
 Berkeley, Illinois

AMENDED
 Appendix 1-B
 FD 36874