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Office of Chief Counsel
February 4, 2026
Part of
Public Record

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February 4, 2026

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street, SW
Washington, DC 20024

Re: Central Railroad Company of Indianapolis – Abandonment Exemption –
in Howard County, Indiana
Surface Transportation Board Docket No. AB 511 (Sub No. 8X)

CERA Response to Request for Trail Use

Dear Chief of Case Administration:

In a decision served January 23, 2026, the Board authorized Central Railroad Company of Indianapolis ("CERA") to abandon the "Tipton Industrial Lead" extending from approximately milepost 54.3 to milepost 55.6; and a segment of the Marion Subdivision extending from approximately milepost 180.87 to milepost 181.26.

By letter dated January 28, 2026, the City of Kokomo (the "City") requested a public use condition¹ and interim trail use over the Tipton Industrial Lead and the Marion Subdivision. The City described the Tipton Industrial Lead as extending between milepost 54.28 and milepost 55.66.

Pursuant to 49 C.F.R. §1152.29(b)(2), CERA hereby responds to the request for interim trail use. CERA is willing to negotiate an interim trail use agreement with the City on the Tipton Industrial Lead and requests that the Board authorize trail use extending from milepost 54.3 to milepost 55.66.

In reviewing the City's trail use request, CERA realized that the Board's January 23, 2026, decision authorizes the abandonment extending from milepost 54.3 to milepost

¹ Although CERA does not believe that a public use condition is necessary given CERA's agreement to the issuance of a notice of interim trail use, CERA takes no position on the City's request for a public use condition.

55.6. The City's description of the Tipton Industrial Lead is consistent with the maps that CERA submitted with its notice of exemption and environmental and historical report, but inconsistent with how CERA described the line in its filings and letters. Upon investigation, CERA has determined that the appropriate mileposts for the Tipton Industrial Lead should extend from milepost 54.3 (not 54.28) to milepost 55.66(not 55.6).

Considering this slight inconsistency, CERA respectfully requests that the Board issue a decision granting the abandonment and allowing the parties to negotiate from milepost 54.3 to milepost 55.66. In other proceedings, the Board has adjusted milepost errors after-the-fact.²

In this instance, good cause exists for the Board to allow this slight adjustment of the mileposts because the difference of .06 of a mile is a de minimis 317 feet. Additionally, no parties will be prejudiced because the maps provided by CERA accurately reflected a termination of milepost 55.66. Further, this line is out of service and no shippers are impacted by this minor error. Finally, this line abuts another rail line that is currently under a trail use agreement starting at milepost 55.66. *Central Railroad Company of Indianapolis – Abandonment Exemption – Howard County, IN* STB Docket No. AB 511 (Sub-No. 6X)(served June 15, 2012). Terminating the present abandonment and trail use negotiation at milepost 55.6 would potentially leave 317 feet between the two trails as an active line of railroad.

For the above stated reasons, CERA respectfully requests that the Board allow it to negotiate with the City for trail use extending from milepost 54.3 to milepost 55.66.

Sincerely,



Justin J. Marks
Counsel to Central Railroad Company of
Indianapolis

² See ex. *Kiski Junction Railroad – Acquisition Exemption – Berkman Rail Services*, Finance Docket No. 34681 (served May 24, 2001).

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of February, a copy of the foregoing was served via email on all parties of record in this proceeding.



Justin J. Marks

Dated: February 4, 2026