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May 28, 2026

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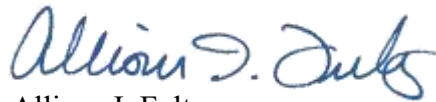
Re: *Lampwrights LLC—Petition for Exemption to Construct and Operate a Line of Railroad in Elk and Jefferson Counties, PA*, STB FD No. 36833 (Sub-No. 1)

Dear Sir or Madam:

I have attached for e-filing the Reply of First Apostles' Doctrine Church to Lampwrights LLC's Petition for Declaratory Order in the above-referenced proceeding.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Allison I. Fultz

Enclosure

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36833 (Sub-No. 1)

**LAMPWRIGHTS LLC –
PETITION FOR EXEMPTION TO
CONSTRUCT AND OPERATE A LINE OF RAILROAD
IN ELK AND JEFFERSON COUNTIES, PA**

**REPLY OF FIRST APOSTLES' DOCTRINE CHURCH TO LAMPWRIGHTS'
PETITION FOR DECLARATORY ORDER**

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Counsel for First Apostles' Doctrine Church

Dated: May 28, 2026

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36833 (Sub-No. 1)

**LAMPWRIGHTS LLC –
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**REPLY OF FIRST APOSTLES’ DOCTRINE CHURCH TO LAMPWRIGHTS’
PETITION FOR DECLARATORY ORDER**

The First Apostles’ Doctrine Church (the “Church”) submits this Reply opposing Lampwrights LLC’s (“Lampwrights”) Petition for Declaratory Order filed May 8, 2026, in these proceedings (“Second Petition”). Lampwrights’ Second Petition incorrectly concludes that the line it proposes to construct and operate (the “Line”) was never previously abandoned and remains subject to the Board’s jurisdiction, despite nearly half a century of evidence to the contrary. However, Lampwrights misses clear evidence in the regulatory record that the eastern portion of the Line was abandoned long ago, and fails to properly apply Board precedent in interpreting whether abandonment occurred on the western portion of the Line. The Board should accordingly reject Lampwrights’ audacious new effort to skirt the Board’s permitting procedures and environmental review for construction of a new rail line, and deny the Second Petition. While unnecessary, if the Board grants the Second Petition, it should do so only to confirm or declare the abandoned status of the Line.

BACKGROUND

The Church's Reply filed on February 5, 2026, in these proceedings provides the relevant background on the parties and Lampwrights' proposed Line, which Lampwrights describes in the Second Petition as extending between milepost 2.68 and milepost 7.7 on the rail line previously known as the Toby Branch, which, according to Lampwrights research, previously extended from milepost 0.0 to milepost 10.57. Second Petition at 7, 24. The Line passes through Crenshaw at milepost 2.7 and Hydes at milepost 6.2. *See* Second Petition at 10-11. Lampwrights previously and correctly identified the Line as "abandoned" in its original petition for exemption filed on September 29, 2025 ("First Petition"). *See* Second Petition at 2-3 (*citing* First Petition at 5-6). Since then, on February 9, 2026, the Board's Office of Environmental Analysis ("OEA") suspended environmental review of the First Petition because of the infeasibility of the proposed alignment Lampwrights proposed to construct. In response to OEA's notification that it had suspended review of the application, on May 8, 2026, Lampwrights filed the Second Petition and a supplement to its First Petition ("Lampwrights Supplement").

In its Second Petition, Lampwrights reverses its prior position and argues that the Line was never fully abandoned but instead remains subject to the Board's jurisdiction. Second Petition at 11, 17-18. Lampwrights acknowledges that it had previously characterized the corridor as abandoned, but now contends that this was an error based on incomplete historical research. *Id.* at 2-3. Lampwrights asserts that because it has been unable to identify definitive evidence of a formal consummation of abandonment of the segment of the Line between milepost 2.68 and milepost 6.2—namely a copy of notice to state and local governments under the applicable legal procedures (discussed below)—this segment should be treated as having

retained its common carrier status. *Id.* at 9-11, 17-18. Moreover, Lampwrights argues that the lack of any record evidence in the regulatory history regarding filing for abandonment of the segment of the Line between milepost 6.2 and milepost 10.57 indicates that the line was never abandoned. *Id.* at 15-16.

The Lampwrights Supplement revises Lampwrights' proposal to increase anticipated local impacts. The Line's extent has been increased from approximately 20,427 feet to 27,574 feet. *See* Lampwrights Supplement at 2 (filed May 8, 2026). Lampwrights has also expanded the description of the proposed operations on the Line five-fold, from one train a week to one train nearly every single day. *Id.* The additional track does not change the configuration of the proposed Line straight through inhabited areas of Horton Township, and therefore does nothing to ameliorate the profound impacts that the Line would have on the Church and the rest of the local community, Church Reply at 5-7, and the 500% increase in traffic will only compound these effects.

APPLICABLE LAW

Under 5 U.S.C. § 554(e) and 49 U.S.C. § 1321, the Board may issue a declaratory order to terminate a controversy or to remove uncertainty. The Board has broad discretion to determine whether to issue a declaratory order. *See Bos. & Me. Corp. v. Town of Ayer*, 330 F.3d 12, 14 n.2 (1st Cir. 2003). The petitioner bears the burden of proof. 5 U.S.C. § 556(d); *Eastern Alabama Ry. LLC—Petition for Declaratory Order*, FD 35583, slip op. at 4 (STB served Mar. 9, 2012).

The Board has exclusive jurisdiction over the abandonment of rail lines and the discontinuance of service on rail lines. 49 U.S.C. § 10903. A rail carrier subject to the Board's jurisdiction must obtain authority before it can abandon any part of its rail lines, which it can do

by filing and application or exemption. 49 U.S.C. §§ 10903, 10502; 49 C.F.R. § 1152.50. Abandonment authority granted by the Board or its predecessor, the Interstate Commerce Commission (“ICC”), is permissive, not mandatory, *i.e.* if the railroad decides not to exercise abandonment authority for a rail line, the rail line remains part of the interstate rail network and subject to the Board’s jurisdiction. *Birt v. STB*, 90 F.3d 580, 589 (D.C. Cir. 1996). However, once an entity exercises abandonment authority, a rail line is removed from the national transportation system and ceases to be within the Board’s jurisdiction. *Preseault v. ICC*, 494 U.S. 1, 5 n.3 (1990); *Becker v. STB*, 132 F.3d 60, 62-63 (D.C. Cir. 1997).

Prior to 1997, the Board depended on a case-by-case evaluation of all the facts and circumstances to see if the railroad showed a clear intention to remove the line from the national rail system, or if instead the record indicated an intent to preserve the right-of-way for future reactivation of rail service. *Md. Transit Admin.—Aban. Exemption—in Somerset Cnty., Md.*, AB 590 (Sub-No. 1X), slip op. at 3 (STB served May 14, 2015) (“*MTA*”). Since 1997, the Board has required a rail carrier wishing to exercise its abandonment authority to file a notice of consummation with the Board. 49 C.F.R. § 1152.29(e)(2). This consummation notice is now the only definitive, legally recognizable way for a rail carrier to consummate an abandonment. However, where the question of abandonment prior to 1997 is raised, the Board will utilize the historic standard and evaluate indicia of abandonment on a case-by-case basis. *See MTA*, AB 590 (Sub-No. 1X), slip op. at 3.

As a limited exception to the standard procedure for abandonment of a rail line, in the 1970s the Regional Rail Reorganization Act of 1973, Pub. L. No. 93-326, 87 Stat. 985 (1974) (“3R Act”) gave the Penn Central and certain other bankrupt railroads—including the Erie Lackawanna Railroad Company—an opportunity to abandon certain rail lines without

undertaking the ICC's regular abandonment process. The 3R Act established the United States Railway Association ("USRA") and charted it with developing the Final System Plan, which catalogued affected rail lines and designated certain ones for transfer to the newly established Consolidated Rail Corporation ("Conrail"). Lines that were not designated for transfer under the Final System Plan were permitted to be discontinued and abandoned under Sections 304(a) and 304(b) of the 3R Act, subject to sending notice to certain state government entities and other parties. *Victor Wheeler, et al – Petition for Declaratory Order*, FD 35082, et al, slip op. at 7 (STB served Aug. 27, 2008).

ARGUMENT

Lampwrights' conclusion that the Line remains under the Board's jurisdiction based on a lack of evidence of abandonment is wrong for two reasons. First, for the portion of the Line east of Hydes at milepost 6.2, Lampwrights overlooks documentation in the regulatory history reflecting that this segment was fully abandoned prior to release of the Final System Plan. Second, for the western portion of the Line, Lampwrights asks the Board to accept that the lack of evidence of mailed notice of abandonment under Section 304 of the 3R Act is conclusive that abandonment did not occur. This ignores the circumstantial evidence that weighs heavily in favor of abandonment. The Board has previously considered such circumstantial evidence persuasive in determining that lines subject to the Final System Plan were subsequently fully abandoned, even where definitive proof that the required notice was sent is absent. Once corrected, these errors reveal that there is no genuine controversy at issue regarding the Line's abandoned status, and therefore the Board should deny the Second Petition and Lampwrights' requests for declaratory relief.

I. Lampwrights Overlooks Evidence in the Regulatory Record Reflecting Abandonment of the Segment of the Line East of Hydes (MP 6.2 – MP 10.57)

Lampwrights incorrectly asserts that there is no evidence in the documentary record regarding abandonment of the segment of the Line east of Hydes from milepost 6.2 to milepost 10.57, and therefore wrongly concludes that this segment has never been abandoned and remains subject to the Board's jurisdiction. Second Petition at 18-19. Lampwrights overlooks evidence in the regulatory record that this segment was abandoned in 1954, as confirmed in the Final System Plan, and which is further indicated by a complete lack of rail activity on this segment for decades. *See* Verified Statement of Bishop Jack Wisor, attached as **Exhibit A**. Lampwrights' conclusion that this segment remains subject to the Board's jurisdiction is therefore incorrect.

Lampwrights surmises that if this segment of the Line were abandoned, it would have been abandoned sometime between 1941, when it states the Erie Railroad Company acquired the Toby Branch, and 1973, when the EL Trustees filed for the adjacent segment extending between milepost 2.75 and milepost 6.24, and states it found no such evidence. Second Petition at 15-16. However, copies of the ICC's original card catalog obtained from the Board's records documents that the Erie Railroad Company filed in 1954 under Docket No. 18563 for abandonment and removal of "a portion of its Toby Branch extending northeasterly from Hydes, Pennsylvania, to the end of said branch, a distance of approximately 4.32 miles." *See* ICC Card Catalog, excerpt attached at **Exhibit B**. This description corresponds with the location and length of Toby Branch between milepost 6.2 and milepost 10.57. The ICC Card Catalog also includes entries for the 1926 and 1973 abandonment filings that Lampwrights identifies at pp. 8 and 9 of its Second

Petition. *Id.* Accordingly, there *is* documentation of abandonment of this segment precisely where Lampwrights predicts there would be.¹

Abandonment of the segment east of Hydes at milepost 6.2 is further confirmed by the Final System Plan itself. In Volume II, under Section C, “Alternative Public Uses of Abandoned Rail Properties,” the segment between “Hydes to Terminus” in Pennsylvania is listed as suggested for use as a recreation trail. Final System Plan, vol. II at 323 (July 26, 1975).² A footnote to this entry indicates that this segment was “Abandoned.” *Id.* at 324 n.2. Thus, while Lampwrights’ assertion that this segment “was not subject to the [Final System Plan],” *see id.* at 15, is correct in the sense that it was not the subject of a designation determination, Lampwrights is wrong that it was not considered at all. In fact, the Final System Plan confirms abandonment of this segment.

Contrary to Lampwrights’ assertions, the regulatory history does reflect abandonment of the segment east of Hydes was abandoned. *See id.* at 18-19. Accordingly, its argument that a lack of evidence indicates there was no abandonment fails. There is no controversy regarding the status of this segment, and the Board should therefore deny Lampwrights’ request for relief numbers 3, 7, and 8. *See id.* at 24.

¹ The Church contacted the Board to receive a copy of ICC Docket No. 18563, and was told that the Board did not have this docket number in its files. The Church has reached out to the National Archives for assistance in locating this docket, but has not been able to locate a copy of the decision itself given the short amount of time permitted to respond to the Second Petition.

² This entry identifies the segment between “Hydes to Terminus” as part of USRA Line No. 262. The Church has been unable to identify additional reference to this line number in the Final System Plan.

II. Lampwrights Ignores the Board's Circumstance-Based Standard For Determining Abandonment of the Segment of the Line Between Hydes (MP 6.2) and Crenshaw (MP 2.7)

Lampwrights wrongly relies single-mindedly on the lack of evidence that notice was issued for the segment of the Line between Hydes and Crenshaw pursuant to the 3R Act to conclude that abandonment did not properly take place. Second Petition at 17-18; *see also id.* at 9-10.³ This reliance is wrong because it ignores the circumstances of this segment at the time and thereafter, which weigh completely in favor of suggesting notice of abandonment did take place. In these circumstances, the Board's precedent indicates that it will rely on considering the totality of circumstances, akin to its pre-1997 fact-based standard for determining whether that authorization was consummated. Properly applying this standard, this segment of the Line was clearly abandoned.

A. The Proper Standard In Determining Abandonment Here Requires Considering the Totality of Circumstances, Not Simply Ignorance Regarding Service of Notice

Although Lampwrights correctly identifies that the designation of the Line segment between milepost 6.2 and 2.7 under the Final System Plan permitted this segment to be discontinued and abandoned summarily upon notice and without ICC approval, Lampwrights incorrectly assumes that the lack of evidence that the appropriate notice pursuant to 3R Act procedures was given is dispositive. *See* Second Petition at 9-11. But when faced with a lack of evidence regarding such notices, the Board will weigh the circumstances and the record below it to determine whether the lack of such evidence is compelling. *See, e.g., Md. Transit Admin.—*

³ The Church takes no position on Lampwrights' claims regarding the status of the Line between milepost 2.68 and milepost 2.7.

Aban. Exemption—in Somerset Cnty., Md., AB 590 (Sub-No. 1X), slip op. at 3-4 (STB served May 14, 2015).

MTA provides an apt example of how the totality of circumstances may indicate abandonment even if there is no evidence that proper notice was provided under the 3R Act procedures. In *MTA*, the Board evaluated the jurisdictional status of a line designated in the Final System Plan as excluded from transfer to Conrail or another profitable railroad and subject to a pending Section 304 application for abandonment. *Id.*, slip op. at 2. There the Board held that even though the line's owner, the Maryland Transit Administration could not locate documentation indicating that the required notice had been provided, "the State's intent, as demonstrated by an examination of the relevant factors, indicates that the Line has already been abandoned." *Id.*, slip op. at 4. Applying the historical pre-1997 standard for determining abandonment, "the Board looked to the line owner's actions considered in their entirety, assessing both the owner's stated intentions and the various physical acts taken that might carry out that intent." *Id.* at 3. The factors the Board considered included "cessation of operations, cancellation of tariffs, the length of time there had been no rail service, efforts to maintain the line, salvage of the track and track materials, and relinquishment of control over the right of way. *Id.* (citing *Becker* at 62; *Birt v. STB*, 90 F.3d 580 (1996); *Black v. ICC*, 762 F.2d 106, 112-113 (D.C. Cir. 1985)). Based on the totality of the circumstances," including complete termination of service, removal and salvage of track, and lack of maintenance, the Board concluded that "the Line owner's actions, viewed in their entirety, are consistent with abandonment." *Id.* at 4-5.

In other contexts, the Board has taken a similar approach of considering the totality of circumstances when faced with a lack of evidence regarding notice under the 3R Act. *See Walkersville S. R.R., Cin.—Discontinuance of Service Exemption—Frederick County, MD*, AB

1339X (AB 1339X); *Ohio R. Development Commission—Petition for Declaratory Order*, FD 36822 (Mar, 30, 2026) (“*Ohio Rail*”). Lampwrights argues that *Ohio Rail* supports its proposition that a lack of evidence of notice of abandonment should lead the Board to determining no abandonment took place. Second Petition at 18. However, in *Ohio Rail* the Board was clear that “[b]ased on this record, the Board finds no basis to conclude that the Line was abandoned pursuant to section 304 of the 3R Act.” *Ohio Rail*, FD 36822, slip op. at 5 (emphasis added). That record, which included continued active rail service or railbanking of acquired lines, “does not support the conclusion that [the line owner] ORTA/ORDA demonstrated an intent to abandon the Line,” the Board determined. *Id.* at 6.

Thus, Lampwrights’ inability to locate documentation of a notice issued nearly 50 years ago cannot be used as the sole justification for making a determination if the totality of the circumstances (i.e., here, as in *MTA* and its precedents, including cessation of operations, the length of time there had been no rail service, efforts to maintain the line, salvage of the track and track materials, and relinquishment of control over the right of way) clearly suggest a different conclusion.

B. The Totality of the Circumstances Reflects A Clear Intent to Abandon the Segment Between MP 6.2 and MP 2.7

Here, the circumstances indicate that the owner at the time of the issuance of the Final System Plan, the trustees of the Erie Lackawanna Railway Company (“EL Trustees”) sought to abandon the segment between milepost 2.7 and milepost 6.2. This segment was subject to an abandonment application filed in 1973, which was dismissed in June 1975 “for lack of jurisdiction,” presumably due to the intervening passage of the 3R Act, which removed subject lines from the ICC’s procedures, and the impending publication of the Final System Plan. *See* Second Petition Ex. F and Ex. G. While Lampwrights provides undated internal corporate

meeting minutes suggesting discussion around whether to refile abandonment with the USRA, the EL Trustees did initiate this process by filing notice of discontinuance in December 1975 per the procedures of the 3R Act in 1976, just after the effective date of the Final System Plan. *Id.* Ex. K, Ex. S.

Thereafter, the property conveyance history strongly suggests which lines were abandoned and which were not. Lampwrights provides evidence of sale of the adjacent Line segment between milepost 0.0 and milepost 2.7, but not milepost 2.7 and milepost 6.7, to the Pittsburg & Shawmut Railroad Company. *Id.* Ex. L. Instead, Lampwrights provides evidence that the segments of the Line east of milepost 2.7 were sold to different apparent non-railroads—from milepost 2.68 east of Crenshaw to milepost 3.9 to George E. Brosky, and from milepost 3.9 to milepost 10.57 to the Spencer Land Company. *See* Second Petition at 15, Ex. P. The references documenting these sales that Lampwrights presents themselves reflect that the conveying party considered this segment to be “abandoned right-of-way.” *See* Second Petition, Ex. Q (reference to “all remaining portion of Crenshaw to Hydes (17PA6-8)”).

In the intervening 40 years, Lampwrights provides evidence that the owners of the Line had multiple opportunities to assert ICC or Board preemption based on jurisdiction, but did not. This includes the 1990 Pennsylvania Court of Common Pleas’ ejectment of Mr. Brosky from the rail line, Second Petition at 12, Ex. B, Ex. O, as well as the 2004 taking of an easement for a sewer line between milepost 3.9 and milepost 5.2, *id.* at 13. Indeed, the 1990 court case determined the issue of abandonment for a portion of the Line, without Mr. Brosky apparently raising the issue of preemption.⁴

⁴ Lampwrights mischaracterizes the role of state courts in determining property rights. While it is true that the Board’s jurisdiction preempts state law that has the effect of unreasonably interfering with the STB’s exclusive jurisdiction over the interstate rail network, the Board does

The entire post-Final System Plan history of the Line also strongly indicates that abandonment occurred. Lampwrights provides no evidence that the Line east of milepost 2.7 was ever operated or maintained after the issuance of the Final System Plan, and to the Church's knowledge it never was. V.S. Bishop Jack Wisor, **Exhibit A**. Indeed, the Line is now occupied by a number of property owners, again with no attempt over more than four decades to re-establish rail use or protect the corridor based on its prior status as a rail line.

While the above factors may not always indicate an intent to abandon a rail line, as the Board has concluded in *MTA*, “[i]t is implausible that [an owner] would intend only to discontinue service when it never provided service on the Line or contracted with an operator to do so, the track has been removed and salvaged, and there has been no carrier operations on the Line in nearly 40 years.” *MTA*, AB 590 (Sub-No. 1X), slip op. at 4. *See also Becker v. STB*, 132 F.3d 60, 63 n.4 (D.C. Cir. 1997) (“We cannot accept the Board’s suggestion that T&P’s silence indicates intent not to abandon. . . . Not only is this view unsupported by precedent or logic—its adoption would permit a railroad to sit on an unused line indefinitely with no indication of its status.”). Here, considering the totality of circumstances, it is clear that the absence of evidence that notice was provided per 3R Act procedures is not adequate evidence that notice was not in fact provided, or that the Line was not abandoned. Instead, the

not adjudicate property issues or normally make determinations regarding the abandonment of property rights, as distinct from regulatory rights. *See also Preseault v. ICC*, 494 U.S. 1, 22 (1990) (J. O’Connor concurring) (“Although the Commission’s actions may pre-empt the operation and effect of certain state laws, those actions do not displace state law as the traditional source of the real property interests.”). Lampwrights’ request that the Board declare that the Pennsylvania Court of Common Pleas “did not have the authority” to make a declaration under state law regarding abandonment of property is inappropriate, incorrect as a matter of law, and should be denied. *See* Second Petition at 24 (request number 4).

circumstances reflect a clear intent to abandon the Line, even given ministerial omissions in the regulatory record.

Lampwrights' overemphasis on the lack of evidence regarding notice pursuant to the 3R Act procedures blinds it to the totality of the circumstances, which do not refute the likelihood that notice was provided and which clearly indicate that the Line between milepost 6.2 and milepost 2.7 was fully abandoned. Accordingly, the Board should deny Lampwrights' requests for relief numbers 2, 7, and 8. *See id.* at 24. Because the Line was already abandoned, the Board should likewise deny Lampwrights' request for relief numbers 5 and 6 against the Brockway Area Sewage Authority's easement within the Line. *Id.*

CONCLUSION

For nearly half a century, the Line has been treated as abandoned by its owners, courts, and the community. Allowing Lampwrights to reopen that determination now based not on evidence, but a lack of it, would undermine that settled jurisdictional principle and disrupt longstanding reliance interests. If the Line had not been properly abandoned, the owners would not have acted the way they did for over 40 years. As the petitioner, Lampwrights bears the burden of demonstrating that a declaratory order is justified, and here, where acquiescing will upend a community and four decades of settled law, the bar should be set high—higher than a single missing piece in a sea of contrary evidence. Accordingly, the Church urges that the Board deny Lampwrights' Second Petition.

Respectfully submitted on May 28, 2026.

/s/ Allison I. Fultz

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*Counsel for First Apostles' Doctrine
Church*

CERTIFICATE OF SERVICE

I certify that on May 28, 2026, I caused to be served a copy of the foregoing Motion for Extension of Time upon all parties of record in this proceeding by email.

/s/ Allison I. Fultz

Dated: May 28, 2026

Exhibit A

Verified Statement of Jack L. Wisor

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36833

**LAMPWRIGHTS LLC –
PETITION FOR EXEMPTION TO
CONSTRUCT AND OPERATE A LINE OF RAILROAD
IN ELK AND JEFFERSON COUNTIES, PA**

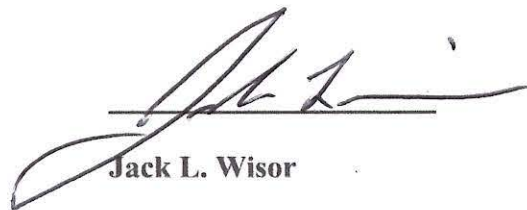
**SECOND VERIFIED STATEMENT OF JACK WISOR, BISHOP
FIRST APOSTLES' DOCTRINE CHURCH**

I, Jack L. Wisor, hereby affirm that:

1. I am the Bishop of the First Apostles' Doctrine Church (the Church) located at 5413 Rte. 219, Brockport, PA 15823, the fee owner of the real property on which the Church is located (the Subject Property). The facts set out in this verified statement are based on my personal knowledge and/or my review of documents relating to the Subject Property, and are true to the best of my knowledge, information, and belief.
2. I am over eighteen (18) years of age and if called upon to do so, could testify competently about the facts set forth in this verified statement.
3. I was born in Brockport and have been in the area for 63 years. I recall seeing the last train pass through the area in 1972 or 1973 when I was ten years old. In 1977, my first job was to load salvaged ties onto the truck operated by the salvage company.
4. Most recently, I have lived in Brockport since 2006 and am personally familiar with the historical condition of the rail line that is the subject of these proceedings (the "Line").

5. I have never witnessed and am not aware of any segment of the Line within the boundaries of Elk County ever being used for rail operations since the early 1970s.
6. I have never witnessed and am not aware of any maintenance work ever being conducted on the Line within the boundaries of Elk County for railroad purposes since the early 1970s.

I solemnly affirm this 27th day of May, 2026, under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.



Jack L. Wisor

Bishop
First Apostles Doctrine Church

Exhibit B

ICC Card Catalog Excerpts

5299

1926

New York, Lake Erie and Western Coal & R. R.
Co., Sec. 1

and

Erie Railroad Co. for a certificate of public
convenience and necessity, authorizing
the abandonment of the portion of the New
York, Lake Erie & Western Coal & R. R.
Cos. railroad between Keyler's Corners
and Toby Mines, a distance of 2.30 miles
in Elk County, Pennsylvania.

111 ICC 100

ERIE RAILROAD COMPANY

App. for permission to abandon and remove (1) a portion of its Toby Branch extending northeasterly from Hydes, Pennsylvania, to the end of said branch, a distance of approximately 4.32 miles, and (2) all of its so-called Kyler Run Branch extending northerly from a connection near the end of the Toby Branch, a distance of approximately 1.43 miles, all in Elk County, Pennsylvania.

290 ICC 814

ERIE LACKAWANNA RAILWAY COMPANY (DEBTOR)

Application for authority to abandon a portion of its Toby Branch extdg. from MP 6.24 at Hydes, Pa., a distance of approx. 3.49 mi., in Elk and Jefferson Counties Pa.