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September 29, 2026
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September 29, 2026

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: Wilkes-Barre Terminal Railway Company – Acquisition and Operation Exemption –
Luzerne County Redevelopment Authority and Luzerne County Rail Corporation,
STB Finance Docket No. 36958

Dear Chief of Case Administration:

Enclosed for filing on behalf of Wilkes-Barre Terminal Railway Company ("WBT") is a notice of exemption for WBT to acquire and operate lines of railroad in Luzerne County, PA. The filing fee has been paid via pay.gov.

If you have any questions related to this filing, please let me know.

Sincerely,



Justin J. Marks
Counsel to Wilkes-Barre Terminal Railway
Company

Enclosure

FEE RECEIVED
September 29, 2026
SURFACE
TRANSPORTATION BOARD

FILED
September 29, 2026
SURFACE
TRANSPORTATION BOARD

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36958

**WILKES-BARRE TERMINAL RAILWAY COMPANY
–ACQUISITION AND OPERATION EXEMPTION –
LUZERNE COUNTY REDEVELOPMENT AUTHORITY AND
LUZERNE COUNTY RAIL CORPORATION**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. § 10901 AND 49 C.F.R. § 1150.31**

(includes color images)

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*Attorneys for Wilkes-Barre Terminal
Railway Company*

Dated: September 29, 2026

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36958

**WILKES-BARRE TERMINAL RAILWAY COMPANY
– ACQUISITION AND OPERATION EXEMPTION –
LUZERNE COUNTY REDEVELOPMENT AUTHORITY AND
LUZERNE COUNTY RAIL CORPORATION**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. § 10901 AND 49 C.F.R. § 1150.31**

Wilkes-Barre Terminal Railway Company (“WBT”), a non-carrier, files this Notice of Exemption to exempt from regulation its acquisition of approximately 59.65 miles of rail line (the “Subject Line”) from the Luzerne County Redevelopment Authority (“LCRA”) and LCRA’s non-operating subsidiary Luzerne County Rail Corporation’s (“LCRC”) operating rights. The Subject Line consists of the following in-service segments: (1) the Dunmore Secondary Track, between milepost 6.5, at Avoca, and milepost 10+/- North side Montage Road Crossing, a distance of 4.5 miles¹; (2) the Avoca Industrial Track, between milepost 1.8, at Number 7 Junction, and milepost 6.5, at Avoca, a distance of 4.7 miles², including the connection with the track of Reading Blue Mountain & Northern Railroad Company (“RBMN”) between “LB” Junction and the switch of the Dunmore Secondary Track, a distance of 0.123 miles, and the Langcliff Connecting Track, between milepost 0.0, at Duryea, and the connection with Norfolk Southern Railway in the middle of York Avenue, at milepost 0.867, a distance of 0.867 miles;

¹ The Dunmore Secondary Track, between milepost 8.6, at Rocky Glen, and milepost 10+/- north side Montage Road crossing, a distance of 1.4 miles is out of service.

² The Avoca Industrial Track, between milepost 1.8, at No. 7 Junction, and milepost 4, at Rock Street, a distance of 2.2 miles is out of service.

(3) the Suscon Industrial Track, between milepost 154.5, at Suscon, and milepost 158.7, at Hillside, a distance of 4.2 miles; (4) the Wilkes-Barre Secondary, between milepost 169.2, at Ashley, and milepost 185.5, at Pittston, a distance of 16.3 miles; (5) the GWBP Industrial Track, between milepost 0.0, at Ashley, and milepost 0.5, at Hanover Industrial Track, a distance of 0.5 miles; (6) the Brownsville Industrial Track, between milepost 0.0, at Hillside, and milepost 1.0, at Brownsville, a distance of 1.0 miles; (7) the Wilkes-Barre Industrial Track, between milepost 59.9, at Ferry Street, and milepost 62.9, at Wilkes-Barre, a distance of 3.0 miles; (8) the Kingston Industrial Track, between milepost 142.7, at Pittston Junction, and Railroad Station 8594+58, a distance of 8.1 miles; and (9) the D&H Wilkes-Barre Connector, from milepost A-208.08, Hudson Yard, to Conyngham Avenue, City of Wilkes-Barre, a distance of 2.5 miles; (10) the APC line, between milepost 0.0 and 0.6 in Wilkes-Barre, a distance of 0.6 miles. A map of the Subject Line is enclosed as Exhibit A

The Subject Line consists of the following out-of-service segments: (11) the West Pittston Running Track, between milepost 0.0, at West Pittston, and milepost 3.0, at Harding, a distance of 3.0 miles, and between milepost 186.4, at West Pittston, and milepost 190.2, at Wyoming, a distance of 3.8 miles, and between milepost 194.2, at Wyoming, and milepost 194.4, in Kingston, a distance of 0.2 miles; (12) the Nanticoke Industrial Track, between milepost 0.0, at Ashley, and milepost 2.6 at Central Scrap, a distance of 2.6 miles; (13) the Harry E. Breaker Spur, between milepost 0.1, at Maltby Junction, and milepost 0.5, a distance of 0.4 miles; (14) the Miner's Mills Industrial Track, between milepost 173.6, at North Wilkes-Barre, and milepost 176.1, at Hudson, a distance of 2.5 miles; (15) the Pettibone Branch, between milepost 0.0 and milepost 0.759, at Dorranceton, a distance of 0.759 miles.

A map of the Subject Line is enclosed as Exhibit A.

Notice

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

- (a) The full name and address of Applicant:

Wilkes-Barre Terminal Railway Company
26 S. 4th St. Hamburg PA, 19526

- (b) Applicant's Representatives:

Justin J. Marks	Eric M. Hocky
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(202) 772-0916	(215) 640-8523
jmarks@clarkhill.com	ehocky@clarkhill.com

- (c) Statement of Agreement:

On Tuesday, September 29, 2026, LCRA voted to approve the selection of WBT to acquire the Subject Line and operating rights. WBT intends to enter into an agreement with LCRA/LCRC for the acquisition of the Subject Line and operating rights. The parties intend to complete the transaction for operations to commence by October 31, 2026, because the incumbent rail operator's lease expires October 30, 2026.

- (d) The Operator of the Property:

WBT will hold the common carrier obligation to operate the Subject Line. In a simultaneous filing, FD 36959, WBT is granting local trackage rights to RBMN over the in-service segments of the Subject Line. RBMN's rights will allow it to provide immediate service to customers. WBT expects to complete the acquisition and execute a trackage rights agreement with RBMN effective by October 31 –

just after the expiration of the lease of the current operator – to ensure that there will be no disruption in service to customers.

(e) Brief Summary of the Proposed Transaction:

WBT will enter into an agreement to acquire the Subject Line and operating rights from LCRA/LCRC. On July 29, 2026, LCRA issued a request for proposal (“RFP”) for the sale of the Subject Line and operating rights. On September 29, 2026, LCRA selected WBT as the winning bidder of the LCRA RFP. The parties intend to enter into an agreement for WBT’s acquisition of the Subject Line and operating rights effective October 31 to ensure continued rail service to customers after the incumbent railroad’s lease with LCRA has expired (October 30).

i. The name and address of the agencies selling the Subject Line:

Luzerne County Redevelopment Authority
Luzerne County Rail Corporation
16 Luzerne Avenue, Suite 210
West Pittston, PA 18643

ii. The proposed schedule for consummation of the transaction is after the effective date of this Notice.

iii. Mileposts: The Subject Line consists of the following segments: (1) the Dunmore Secondary Track, between milepost 6.5, at Avoca, and milepost 10+/- North side Montage Road Crossing, a distance of 4.5 miles³; (2) the Avoca Industrial Track, between milepost 1.8, at Number 7 Junction, and milepost 6.5, at Avoca, a distance of 4.7 miles⁴, including the connection

³ The Dunmore Secondary Track, between milepost 8.6, at Rocky Glen, and milepost 10+/- north side Montage Road crossing, a distance of 1.4 miles is out of service.

⁴ The Avoca Industrial Track, between milepost 1.8, at No. 7 Junction, and milepost 4, at

with the track of Reading Blue Mountain & Northern Railroad Company (“RBMN”) between “LB” Junction and the switch of the Dunmore Secondary Track, a distance of 0.123 miles, and the Langcliff Connecting Track, between milepost 0.0, at Duryea, and the connection with Norfolk Southern Railway in the middle of York Avenue, at milepost 0.867, a distance of 0.867 miles; (3) the Suscon Industrial Track, between milepost 154.5, at Suscon, and milepost 158.7, at Hillside, a distance of 4.2 miles; (4) the Wilkes-Barre Secondary, between milepost 169.2, at Ashley, and milepost 185.5, at Pittston, a distance of 16.3 miles; (5) the GWBP Industrial Track, between milepost 0.0, at Ashley, and milepost 0.5, at Hanover Industrial Track, a distance of 0.5 miles; (6) the Brownsville Industrial Track, between milepost 0.0, at Hillside, and milepost 1.0, at Brownsville, a distance of 1.0 miles; (7) the Wilkes-Barre Industrial Track, between milepost 59.9, at Ferry Street, and milepost 62.9, at Wilkes-Barre, a distance of 3.0 miles; (8) the Kingston Industrial Track, between milepost 142.7, at Pittston Junction, and Railroad Station 8594+58, a distance of 8.1 miles; and (9) the D&H Wilkes-Barre Connector, from milepost A-208.08, Hudson Yard, to Conyngham Avenue, City of Wilkes-Barre, a distance of 2.5 miles; (10) the APC line, between milepost 0.0 and 0.6 in Wilkes-Barre, a distance of 0.6 miles. The Subject Line consists of the following out-of-service segments: (11) the West Pittston Running Track, between milepost 0.0, at West Pittston, and

Rock Street, a distance of 2.2 miles is out of service.

milepost 3.0, at Harding, a distance of 3.0 miles, and between milepost 186.4, at West Pittston, and milepost 190.2, at Wyoming, a distance of 3.8 miles, and between milepost 194.2, at Wyoming, and milepost 194.4, in Kingston, a distance of 0.2 miles; (12) the Nanticoke Industrial Track, between milepost 0.0, at Ashley, and milepost 2.6 at Central Scrap, a distance of 2.6 miles; (13) the Harry E. Breaker Spur, between milepost 0.1, at Maltby Junction, and milepost 0.5, a distance of 0.4 miles; (14) the Miner's Mills Industrial Track, between milepost 173.6, at North Wilkes-Barre, and milepost 176.1, at Hudson, a distance of 2.5 miles; (15) the Pettibone Branch, between milepost 0.0 and milepost 0.759, at Dorranceton, a distance of 0.759 miles.

- iv. The total mileage to be acquired is approximately 41.79 miles of in-service track and 17.86 miles of out-of-service track.⁵
- (f) Attached as Exhibit A to this Notice of Exemption is a map of the Subject Line.
- (g) WBT certifies that its projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier.
- (h) Interchange Commitment: WBT certifies that the Agreement does not impose or include an interchange commitment.

Labor Protection

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

⁵ The out-of-service segments are to be included as part of the transaction. WBT has found no regulatory history to suggest that these segments have been abandoned. Although these segments are unlikely to be placed back into active service, WBT recognizes that it will hold a common carrier obligation over the out-of-service segments.

labor protection.

Labor Notice Certification

WBT certifies that its projected annual revenue following the transaction will not exceed \$5 million per year, and therefore no advanced notice to labor is required.

Environmental and Historic Reports

Pursuant to 49 C.F.R. §1105.6(c)(2), no environmental documentation should be required because this proceeding involves an acquisition of the Subject Line and operating rights that will not result in significant changes to carrier operations, and as a result the changes will not exceed the thresholds established in 49 C.F.R. §1105.7(e)(4) or (e)(5). Further Board approval is required for WBT to discontinue or abandon service, and there are no plans to dispose of or alter properties subject to the Board's jurisdiction that are 50 years old or older. Accordingly, no environmental or historic documentation is required. *See* 49 C.F.R. §1105.6(c)(1); 49 C.F.R. §1105.8(b)(1).

Caption Summary

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

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Conclusion

Accordingly, WBT requests that the Board issue a notice allowing the WBT to become effective 30-days from the filing date.

Respectfully submitted,



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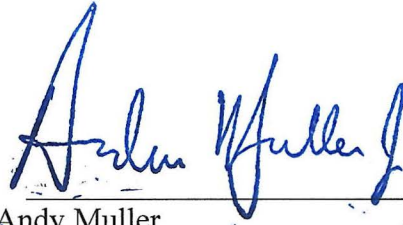
*Attorneys for Wilkes-Barre Terminal
Railway Company*

Dated: September 29, 2026

VERIFICATION

I, Andy Muller, CEO of Wilkes-Barre Terminal Railway Company, verify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on September 29, 2026.

A handwritten signature in blue ink, appearing to read "Andy Muller", is written over a horizontal line.

Andy Muller
CEO

EXHIBIT A

MAP

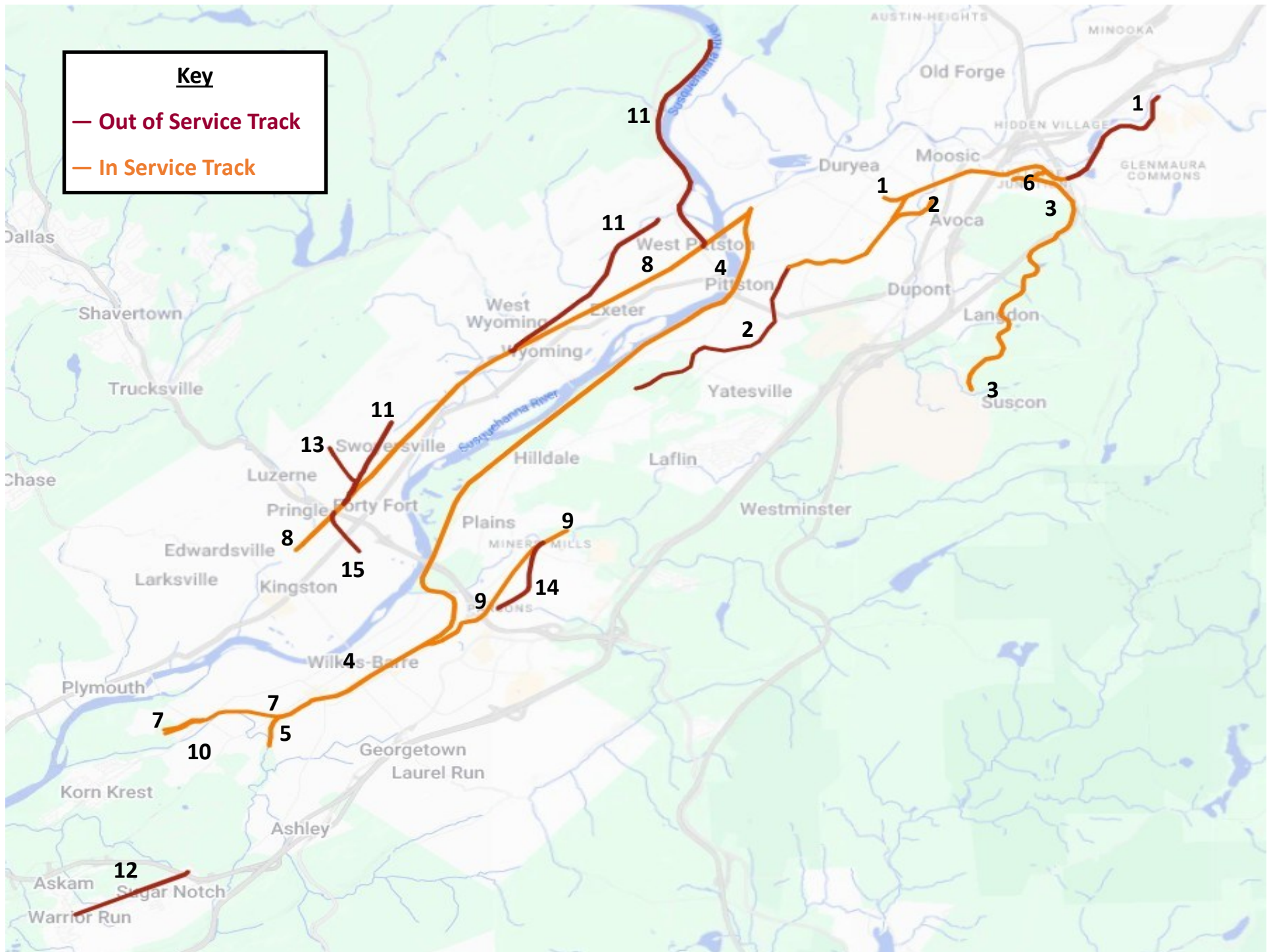


EXHIBIT B

CAPTION SUMMARY

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36958

**WILKES-BARRE TERMINAL RAILWAY COMPANY
– ACQUISITION AND OPERATION EXEMPTION –
LUZERNE COUNTY REDEVELOPMENT AUTHORITY AND
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Comments must be filed with the Board and served on WBT's representative:

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jmarks@clarkhill.com

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: _____, 2026.

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