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August 13, 2017

ENTERED
Office of Proceedings
August 14, 2017
Part of
Public Record

Via Electronic Filing with STB

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

**Re: Docket No. AB-1095 (Sub-No. 2X), SMS Rail Service, Inc. –
Notice of Consummation of Abandonment of Railroad Line – In Gloucester County,
New Jersey**

Dear Ms. Brown:

In accordance with 49 C.F.R. § 1152.29(e)(2), on behalf of our client, SMS Rail Service, Inc. (“SMS”), notice is hereby provided that SMS has exercised the authority granted to it by the Surface Transportation Board (“Board”) in the Board’s Decision in *SMS Rail Service, Inc. – Abandonment Exemption – in Gloucester County, New Jersey*, Docket No AB-1095 (Sub-No. 2X), served July 13, 2017. As of the date of this notice, August 13, 2017, SMS has fully abandoned the approximately 5.8 miles of railroad lines within the 970-acre refinery owned by Paulsboro Refining Company, LLC (“PRC”), in Paulsboro, Gloucester County, New Jersey, which traverses through United States Postal Service Zip Code 08066 in Gloucester County, New Jersey (the “Line”). SMS has discontinued all operations on the Line and the property should be removed from the interstate rail network. As set forth in SMS’s Verified Notice of Exemption under 49 C.F.R. § 1152.50, filed May 25, 2017, the Line is the property of PRC, which owns the Paulsboro refinery, and, therefore, SMS has left the infrastructure and the private and public road crossings and signals in place to preserve the Line for any possible future traffic. Since the Line is property of PRC, SMS has not salvaged the track and materials on the Line. There are no legal or regulatory barriers to consummation, and, therefore, this notice should be deemed conclusive on the point of consummation.

The undersigned hereby certifies that a copy of this letter is being served upon you on this date via the Board’s electronic filing system and regular mail. A copy is also being served upon the Civil Service Commission of New Jersey via regular mail. If you have any questions, please contact me.

Sincerely,
BERKOWITZ KLEIN, LLP


Robert A. Klein

cc: Civil Service Commission of New Jersey, P.O. Box 310, Trenton, NJ 08625-0210

BEFORE THE
SURFACE TRANSPORTATION BOARD

Docket No. AB-1095 (Sub-No. 2X)

SMS RAIL SERVICE, INC. – ABANDONMENT EXEMPTION –
IN PAULSBORO, GLOUCESTER COUNTY, NEW JERSEY

CERTIFICATE OF SERVICE OF NOTICE OF CONSUMMATION OF
ABANDONMENT OF RAILROAD LINE

I hereby certify that on this 13th day of August, 2017, I have served copies of foregoing correspondence addressed to Ms. Cynthia T. Brown, Chief of the Section of Administration, Office of Proceedings, Surface Transportation Board, constituting Notice of Consummation of Abandonment of Railroad Line in the above matter, by First Class U.S. Mail, postage prepaid, as follows:

Ms. Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Civil Service Commission of New Jersey
P.O. Box 310
Trenton, NJ 08625-0210

DATE FILED: August 13, 2017



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