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IRVIN RIGSBY PLC
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Office of Proceedings
August 7, 2018
Part of
Public Record

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August 7, 2019

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S. W.
Washington, D.C. 20434-0001

**RE: Docket No. FD 36330; R. J. Corman Railroad Company/Childersburg Line, LLC –
Change in Operators, Lease and Operation Exemption with Interchange
Commitment – City of Childersburg Local Redevelopment Authority, Norfolk
Southern Railway Company, Central of Georgia Railroad Company, and CSX
Transportation, Inc.**

Dear Ms. Brown:

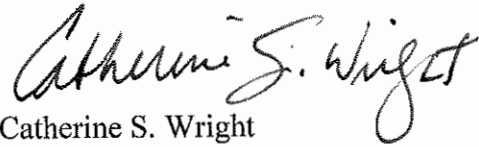
Enclosed for filing in the above-captioned proceeding is the Verified Notice of Exemption on behalf of R. J. Corman Railroad Company/Childersburg Line, LLC pursuant to 49 C.F.R. § 1150.31, *et seq.* dated August 7, 2019. The sum of \$2,000.00, representing the appropriate fee for this filing, has been tendered electronically via Pay.gov. The Pay.gov Tracking ID is 26JBGQ0G.

If you have any questions, please feel free to contact me.

FILED
August 7, 2019
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
August 7, 2019
SURFACE
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Sincerely,

A handwritten signature in black ink, reading "Catherine S. Wright". The signature is written in a cursive style with a large, stylized "C" and "W".

Catherine S. Wright
Attorney for R. J. Corman Railroad
Company/Childersburg Line, LLC

Enclosures

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. FD 36330

**R. J. CORMAN RAILROAD COMPANY/CHILDERSBURG LINE, LLC –
CHANGE IN OPERATORS, LEASE AND OPERATION EXEMPTION WITH
INTERCHANGE COMMITMENT –
CITY OF CHILDERSBURG LOCAL REDEVELOPMENT AUTHORITY, NORFOLK
SOUTHERN RAILWAY COMPANY, CENTRAL OF GEORGIA RAILROAD
COMPANY, AND CSX TRANSPORTATION, INC.**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31 *et seq.***

Submitted by:
David R. Irvin, Esq.
Catherine S. Wright, Esq.
Irvin Rigsby PLC
110 N. Main St.
Nicholasville, Kentucky 40356
dirvin@irvinrigsby.com
cwright@irvinrigsby.com
(859) 724-4104
*Counsel for R. J. Corman Railroad
Company/Childersburg Line, LLC*

Contains Color Images

Dated: August 7, 2019

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. FD 36330

**R. J. CORMAN RAILROAD COMPANY/CHILDERSBURG LINE, LLC –
CHANGE IN OPERATORS, LEASE AND OPERATION EXEMPTION WITH
INTERCHANGE COMMITMENT–
CITY OF CHILDERSBURG LOCAL REDEVELOPMENT AUTHORITY, NORFOLK
SOUTHERN RAILWAY COMPANY, CENTRAL OF GEORGIA RAILROAD
COMPANY, AND CSX TRANSPORTATION, INC.**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31 *et seq.***

Pursuant to 49 C.F.R. §§ 1150.31 *et seq.*, R. J. Corman Railroad Company/Childersburg Line, LLC (“RJAL”)¹, a non-carrier, hereby files this Verified Notice of Exemption to permit RJAL to: (1) change operators and assume the lease and operation of approximately 10.30 miles² of rail line and related industrial track located at the former Alabama Army Ammunition Plant (the “CLRA Line”) which has been jointly operated by Central of Georgia Railroad Company (“CoG”), Norfolk Southern Railway Company (“NSR”) and CSX Transportation, Inc. (“CSXT”) pursuant to a lease from the City of Childersburg Local Redevelopment Authority, a municipal agency of

¹ R. J. Corman Railroad Group, LLC, and its wholly owned subsidiary, R. J. Corman Railroad Company, LLC, who in turn owns 100% of RJCH, are filing a related proceeding to continue in control of RJCH upon it becoming a carrier while remaining in control of other existing R. J. Corman Railroad Group owned and controlled Class III STB regulated carriers. *See* R. J. Corman Railroad Group, LLC and R. J. Corman Railroad Company, LLC – Continuance in Control – R. J. Corman Railroad Company/Childersburg Line, LLC, FD 36331 (filed concurrently).

² CLRA acquired ownership of the line from the United States Government in 2003. *See City of Childersburg Local Redevelopment Authority–Acquisition Exemption–Rail Line of the United States Government*, Finance Docket No. 34324 (STB served Apr. 21, 2003) (“2003 Decision”). RJAL is assuming the lease and operation of the entire CLRA line referenced in the 2003 Decision. For purposes of clarification, while the 2003 Decision references approximately 12.68 miles of rail line, current measurement of the total main line and ancillary and support trackage on the former Alabama Army Ammunition Plant owned by CLRA revealed approximately 10.3 miles of trackage.

the City of Childersburg, Alabama (the “CLRA”), (2) lease and operate 0.73 miles of track from CSXT (the “CSXT Line”) that connects to the north end of the CLRA Line, and (3) lease and operate 2.29 miles of track owned by NSR and CoG, a wholly owned subsidiary of NSR (the “NSR Line”) that connects to the south end of the CLRA Line, all of which are located in Talladega County, Alabama. The CLRA Line, the CSXT Line and the NSR Line are collectively referred to as the “Line”.

The CLRA Line runs from the south side of the Reservation of the Alabama Ordnance Works Track which adjoins the NSR Alabama Ordnance Works Spur at approximately Milepost 1.38 (7,221.2 feet) northeast of the CoG P-Line at Milepost P 400.985 continuing north approximately 5.96 miles to the northern point adjoining CSXT track approximately Milepost 7.34 (8,716 feet south of CSXT Milepost AN 926).

The CSXT Line runs between Milepost ANJA 925.03 and Milepost ANJS 925.76.

The NSR Line consists of the Alabama Ordnance Works Spur Track, from the end of the insulated joint, south of the derail located approximately at Milepost 0.06 (309 feet) from the point of switch off of the CoG P-Line (near Milepost P 400.985) to the adjoining CLRA track located at approximately Milepost 1.38 (6,912 feet) northeast, and the Coosa River Newsprint Spur Track from the end of the insulated joints located on the wye tracks approximately 207 feet and 260 feet from the points of switch located off of NSR’s Southern Railway Line (near Milepost 102.187 N and Milepost 101.863 N respectively) for a distance of approximately 5,423 feet and 5,370 feet respectively, where it joins the Alabama Ordnance Works Spur Track at Milepost 1.07.

Upon effective date of this Notice, RJAL will become a carrier and replace GoG, NSR and CSXT as the CLRA Line’s operator. RJAL’s lease of the CSXT Line and lease of NSR Line is

necessary for RJAL to assume operation of the CLRA Line and connect to CSXT and NSR's respective rail networks.

In accordance with the requirements of 49 C.F.R. § 1150.32-1150.34, RJAL submits the following information:

Name and Address of Applicant: 49 C.F.R. §1150.33(a)

The full name and address of the Class III rail carrier applicant herein is as follows:

R. J. Corman Railroad Company/Childersburg Line, LLC
101 R. J. Corman Drive
PO Box 788
Nicholasville, Kentucky 40356

Applicant's Representative: 49 C.F.R. §1150.33(b)

David R. Irvin, Esq.
Catherine S. Wright, Esq.
Irvin Rigsby PLC
110 N. Main St.
Nicholasville, Kentucky 40356
dirvin@irvinrigsby.com
cwright@irvinrigsby.com
(859) 724-4104

Statement Concerning Agreement: 49 C.F.R. §1150.33(c)

RJAL has reached an agreement in principle regarding an Assignment and Assumption Agreement with the CLRA, NSR, CoG, and CSXT under which it will assume the underlying lease agreement, further defined as an August 4, 1948 lease agreement as supplemented October 10, 1949; August 4, 1952; January 16, 1957; June 24, 1966; March 20, 1987; August 23, 1991; July 2, 2003; and October 18, 2005, and will lease and operate the CLRA Line. In addition, RJAL has reached an agreement in principle with NSR and CoG to lease and operate the NSR Line; and has

reached an agreement in principle with CSXT to lease and operate the CSXT Line. Final versions of these Agreements are expected to be executed shortly.

Operator of the Property: 49 C.F.R. §1150.33(d)

RJAL will replace NSR, CoG, and CSXT as the operator of the CLRA Line pursuant to the above referenced agreements. Upon RJAL's assumption of operations, NSR, CoG, and CSXT will have no further common carrier obligation on the CLRA Line. Additionally, RJAL will lease and operate both the CSXT Line and the NSR Line.

Summary of the Transaction: 49 C.F.R. §1150.43(e)

RJAL, a non-carrier, seeks to assume the lease obligations of NSR, CoG, and CSXT with CLRA to operate the CLRA Line (approximately 10.30 miles of rail line and related industrial track located at the CLRA in Talladega County, Alabama). In 2003, the CLRA acquired the CLRA Line located in Childersburg, Alabama from the United States Government. *See City of Childersburg Local Redevelopment Authority – Acquisition Exemption – Rail Line of the United States Government*, Finance Docket No. 34324 (STB served April 21, 2003). At that time, the CLRA continued to jointly lease the CLRA Line to NSR, CoG, and CSXT. RJAL has reached an agreement in principle for the Assignment and Assumption Agreement with the CLRA, NSR, CoG, and CSXT in which RJAL will assume the lease and operate the CLRA Line.

So that RJAL can continue rail operations on the CLRA Line, RJAL has concurrently reached separate agreements in principle with CSXT and NSR/CoG, respectively, to lease rail lines that permit RJAL to connect the CLRA Line to the CSXT and NSR rail carrier network. RJAL seeks to operate the NSR Line pursuant to a lease agreement to be executed with NSR and CoG to connect the CLRA Line to NSR/CoG lines to the South. RJAL seeks to operate the CSXT Line

pursuant to a lease agreement to be executed with CSXT to connect the CLRA Line to CSXT's line to the North.

(1) Name and Address of railroads transferring the subject property:

City of Childersburg Local Redevelopment Authority
118 6th Avenue S.W.
Childersburg, Alabama 35044

Norfolk Southern Railway Company
Three Commercial Place
Norfolk, VA 23510

Central of Georgia Railroad Company
Three Commercial Place
Norfolk, VA 23510

CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202

(2) Proposed time schedule for consummation:

The transaction is expected to be consummated on or after the effective date of this Notice, which will be 30 days after filing of this Notice.

(3) Mileposts of the subject property:

(i) The CLRA Line runs from the south side of the Reservation of the Alabama Ordnance Works Track which adjoins the NSR Alabama Ordnance Works Spur at approximately Milepost 1.38 (7,221.2 feet) northeast of CoG's P-Line at Milepost P 400.985 continuing north approximately 5.96 miles to the northern point adjoining CSXT track approximately Milepost 7.34 (8,716 feet south of CSXT Milepost AN 926).

(ii) The NSR Line consists of the Alabama Ordnance Works Spur Track, from the end of the insulated joint, south of the derail located approximately at Milepost 0.06 (309 feet) from the point of switch off of CoG P-Line (near Milepost P 400.985) to the adjoining CLRA track located at approximately Milepost 1.38 (6,912 feet) northeast, and the Coosa River Newsprint Spur Track from the ends of the insulated joints located on the wye tracks approximately 207 feet and 260 feet from the points of switch located off of NSR's Southern Railway Line (near Milepost 102.187 N and Milepost 101.863 N respectively) for a distance of approximately 5,423 feet and 5,370 feet respectively, where it joins the Alabama Ordnance Works Spur Track at Milepost 1.07.

(iii) The CSX Line runs between Milepost ANJA 925.03 and Milepost ANJS 925.76.

(4) Route Miles being leased:

(i) The CLRA Line consists of 10.3 miles.

(ii) The NSR Line consists of 2.29 miles.

(iii) The CSX Line consists of 0.73 miles.

Map: 49 C.F.R. §1150.43(f)

Maps showing the Line are attached as Exhibit A to this Notice.

Certificate of Compliance: 49 C.F.R. §1150.33(g)

A Certificate of Compliance consistent with the provisions of 49 C.F.R. § 1150.33(g) stating that RJAL's projected annual revenues resulting from the transaction will not result in the creation of a Class I or II rail carrier is attached as Exhibit B to this Notice.

Interchange Commitments: 49 C.F.R. § 1150.33(h)(1)

RJAL hereby certifies that the Assignment and Assumption Agreement between NSR, CoG, CSXT, and the CLRA and underlying lease with CLRA do not contain any provision or agreement that would limit future interchange with a third-party connecting carrier. RJAL's lease with CSXT also does not contain any provision or agreement that would limit future interchange with a third party connecting carrier.

The lease agreement between RJAL and NSR/CoG does contain an interchange commitment, in the form of lease credits. Accordingly, pursuant to 49 C.F.R. § 1150.43(h), RJAL provides the following information with respect to the lease agreement between RJAL and NSR/CoG:

i. Existence of agreement and identification of affected interchange point.

Per the lease agreement between RJAL and NSR/CoG, the affected interchange points are located on the Alabama Ordnance Works Spur and Coosa River Newsprint Spur located on the NSR Line in Talladega County, AL.

ii. Confidential complete version of document.

A confidential version of the lease agreement between RJAL and NSR/CoG is being filed with the Board under separate cover pursuant to 49 C.F.R. § 1104.14(a).

iii. List of shippers that have used the line over the past two years.

The following shippers or consignees ("Shippers") are currently using the NSR Line to ship or receive freight by rail or have done so since June 2017.

RESOLUTE FOREST PRODUCTS

HAWK PLASTICS

GEO SPECIALTY CHEMICALS

JX NIPPON OIL & LUBRICANT

TRIPLE E WAREHOUSE

- iv. Aggregate number of carloads the Shippers originated or terminated over the NSR Line.

The aggregate number of carloads the Shippers named above originated or terminated within the last two years is being filed under separate cover pursuant to 49 C.F.R. § 1104.14(a).

- v. Certification that shippers have been provided notice of proposed transaction and interchange commitment.

Attached hereto is Certificate of Service, certifying that the Shippers have been served a copy of this Notice. See Exhibit C and Exhibit C-1.

- vi. List of third party railroads that could physically interchange with the NSR Line.

NSR

- vii. Estimated difference between sale or lease price with and without interchange commitment.

An estimate of the difference between the sale or lease price with and without the interchange commitment is being filed under separate cover pursuant to 49 C.F.R. § 1104.14(a).

- viii. Identification of interchange commitment in case caption.

The case caption of this Verified Notice of Exemption identifies that existence of an interchange commitment.

Shipper Notice: 49 C.F.R. § 1150.32(b)

RJAL hereby certifies that it has contemporaneously with this filing, furnished all known shippers on the Line with notice of the proposed change in operators, lease and operation exemption with interchange commitment. *See* Exhibit C and Exhibit C-1 to this Notice.

Advance Notice: 49 C.F.R. § 1150.32(e)

The projected annual revenue of RJAL will not exceed \$5 million, and accordingly the advance notice requirements of 49 C.F.R. § 1150.32(e) are not applicable to this transaction. *See* Exhibit B to this Notice.

Environmental and Historic Preservation Data: 49 C.F.R. § 1105

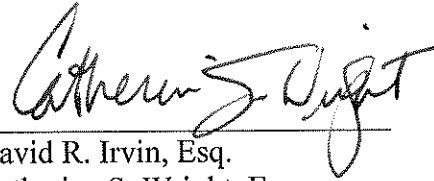
Pursuant to 49 C.F.R. § 1105.6(c)(1), the proposed transaction is excepted from environmental reporting requirements. The proposed transaction will not result in significant changes in carrier operations, i.e. changes that exceed the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5).

The proposed transaction also is excepted from historic preservation reporting requirements under 49 C.F.R. § 1105.8(b)(1). The proposed transaction is for the purpose of continued rail operations. Additional Board approval would be required to discontinue rail service or to abandon service. Moreover, there are no plans to dispose of or alter properties subject to Board jurisdiction that are 50 years old or older.

Caption Summary: 49 C.F.R. § 1150.34

A caption summary in an appropriate form is attached as Exhibit D to this Notice.

Respectfully submitted this 7th day of August 2019.

A handwritten signature in black ink, appearing to read "Catherine S. Wright". The signature is written in a cursive style with a horizontal line underneath it.

David R. Irvin, Esq.
Catherine S. Wright, Esq.
Irvin Rigsby PLC
110 N. Main St.
Nicholasville, Kentucky 40356
dirvin@irvinrigsby.com
cwright@irvinrigsby.com
(859) 724-4104
*Counsel for R. J. Corman Railroad
Company/Childersburg Line, LLC*

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. FD 36330

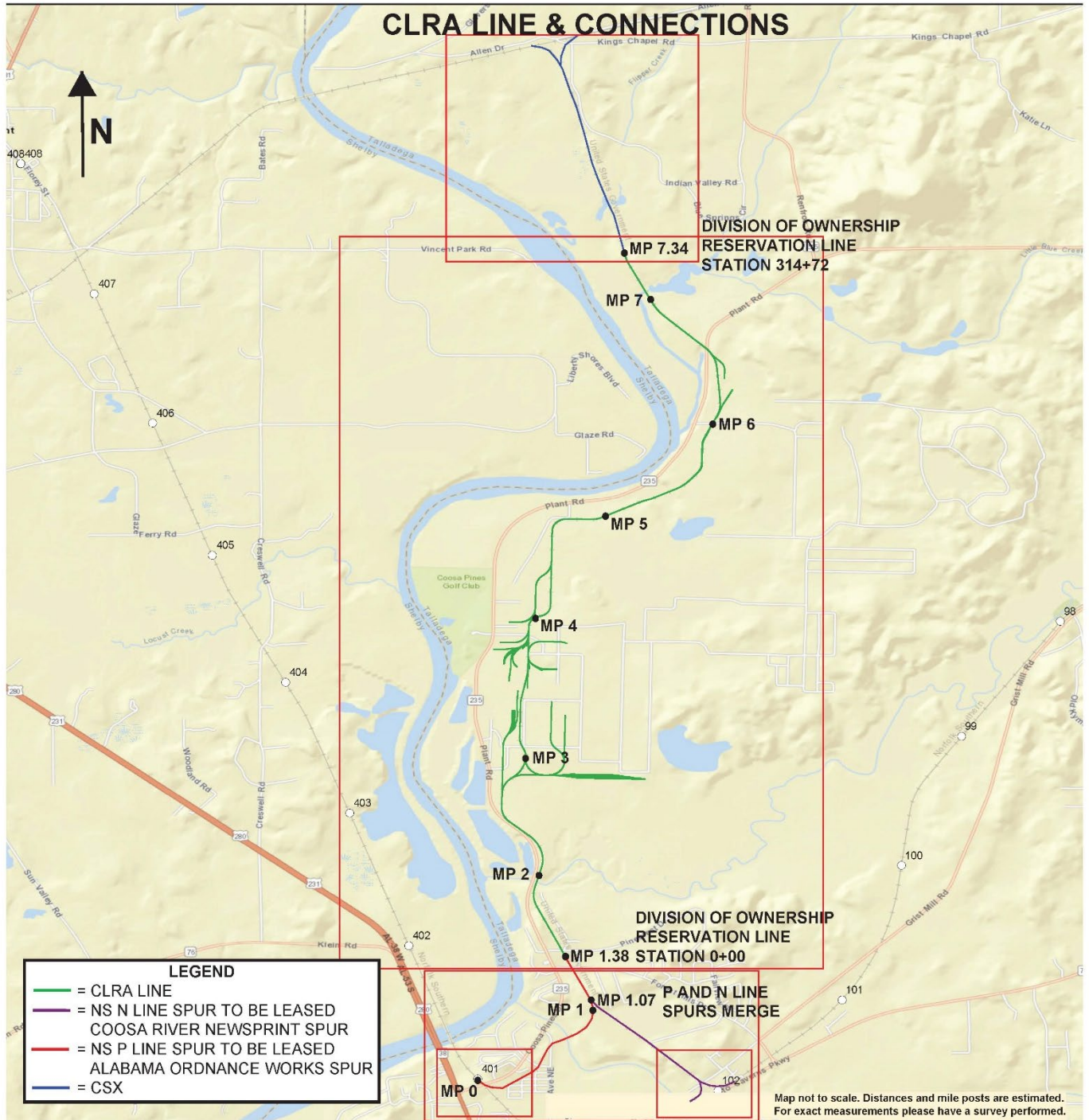
**R. J. CORMAN RAILROAD COMPANY/CHILDERSBURG LINE, LLC –
CHANGE IN OPERATORS, LEASE AND OPERATION EXEMPTION WITH
INTERCHANGE COMMITMENT–
CITY OF CHILDERSBURG LOCAL REDEVELOPMENT AUTHORITY, NORFOLK
SOUTHERN RAILWAY COMPANY, CENTRAL OF GEORGIA RAILROAD
COMPANY, AND CSX TRANSPORTATION, INC.**

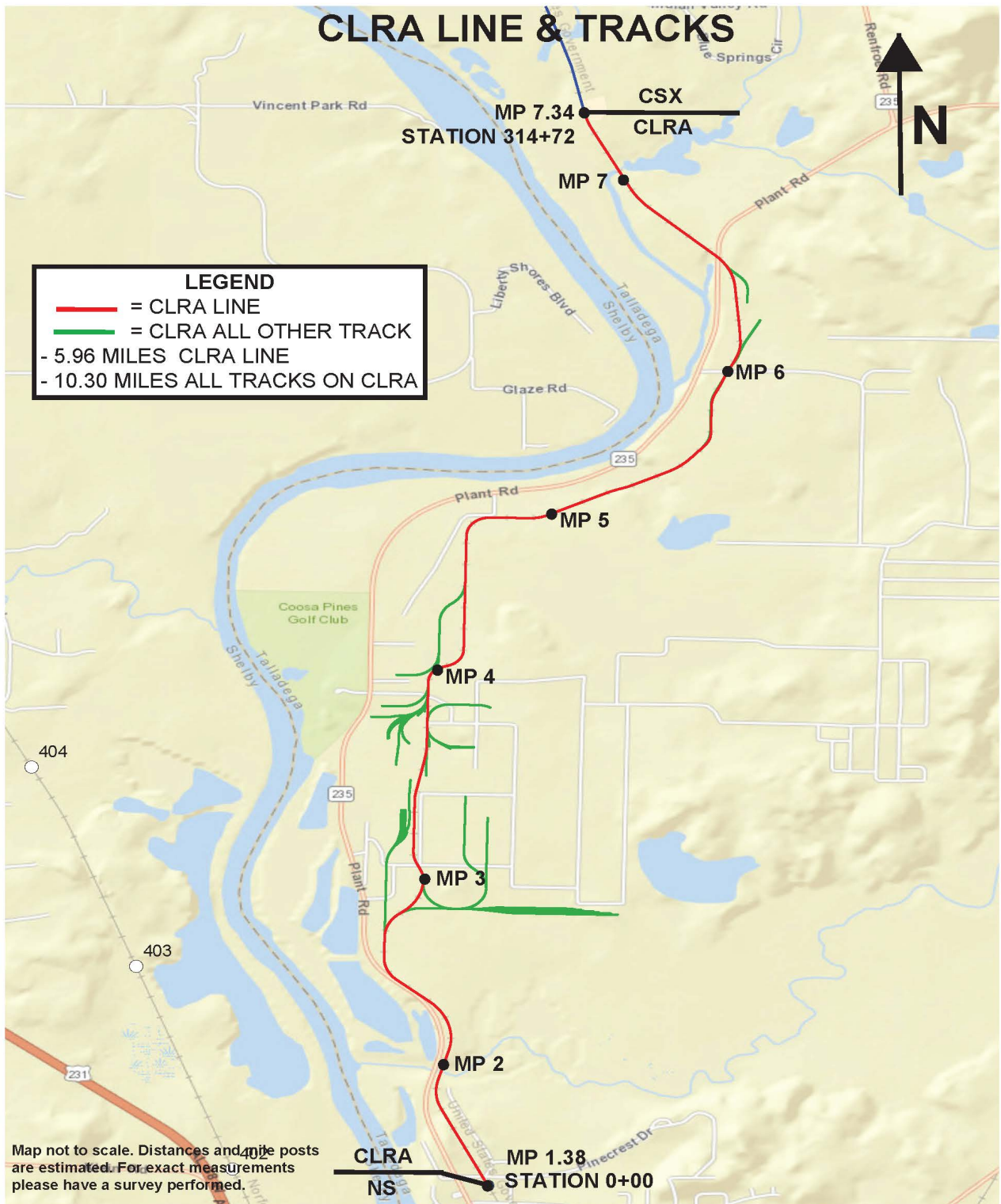
**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31 *et seq.***

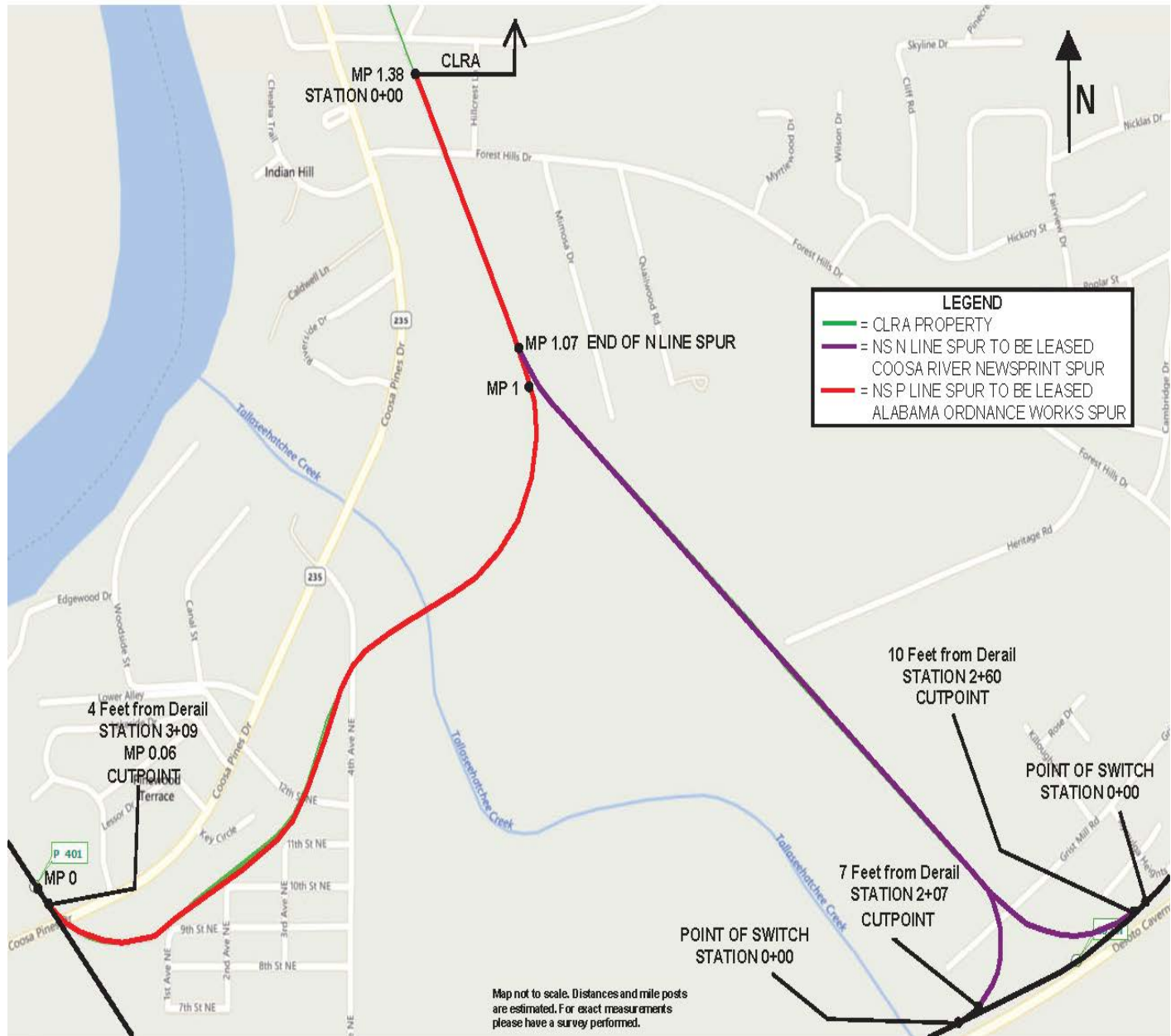
EXHIBIT A

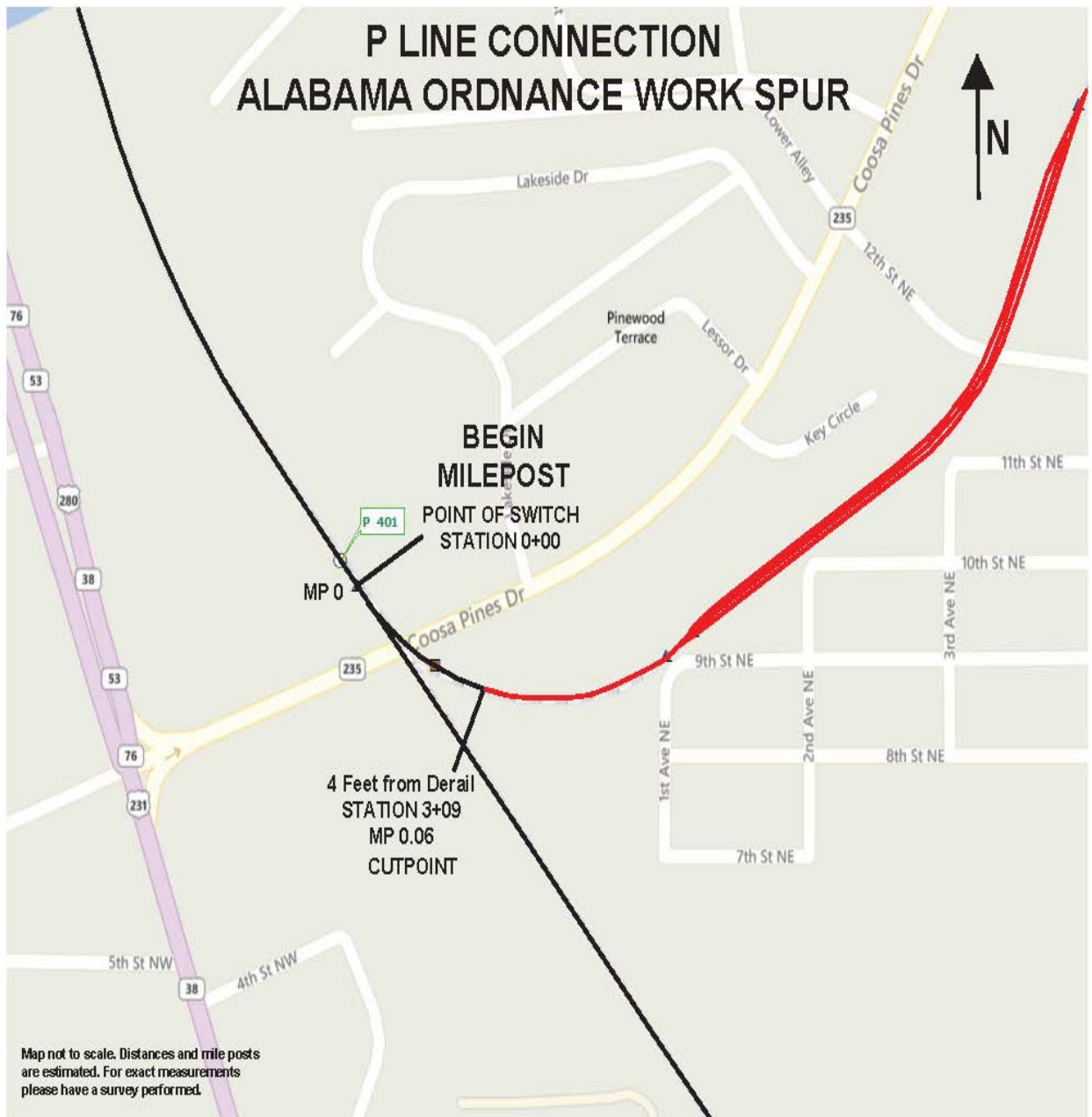
CONTAINS COLOR IMAGES

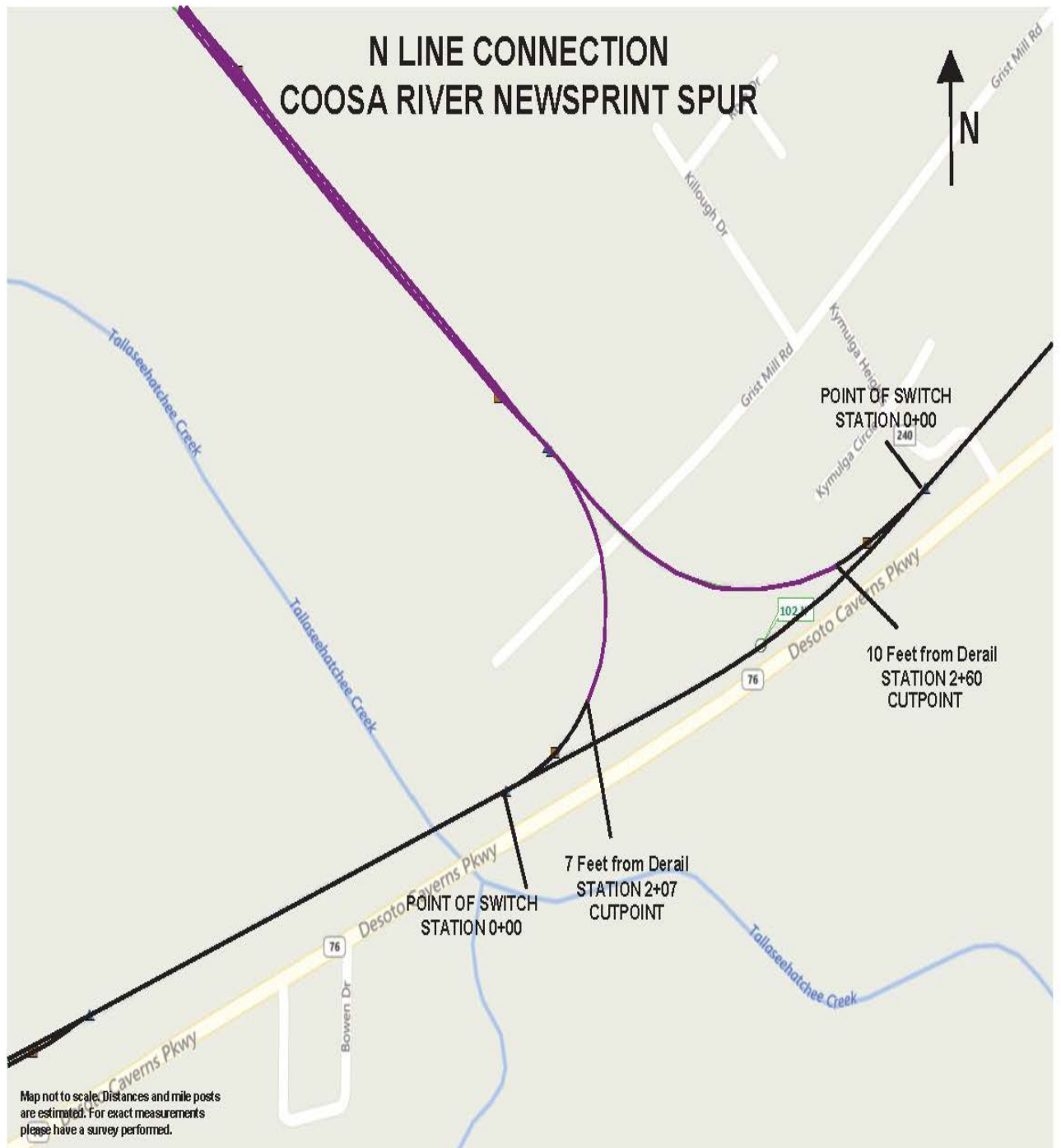
MAPS

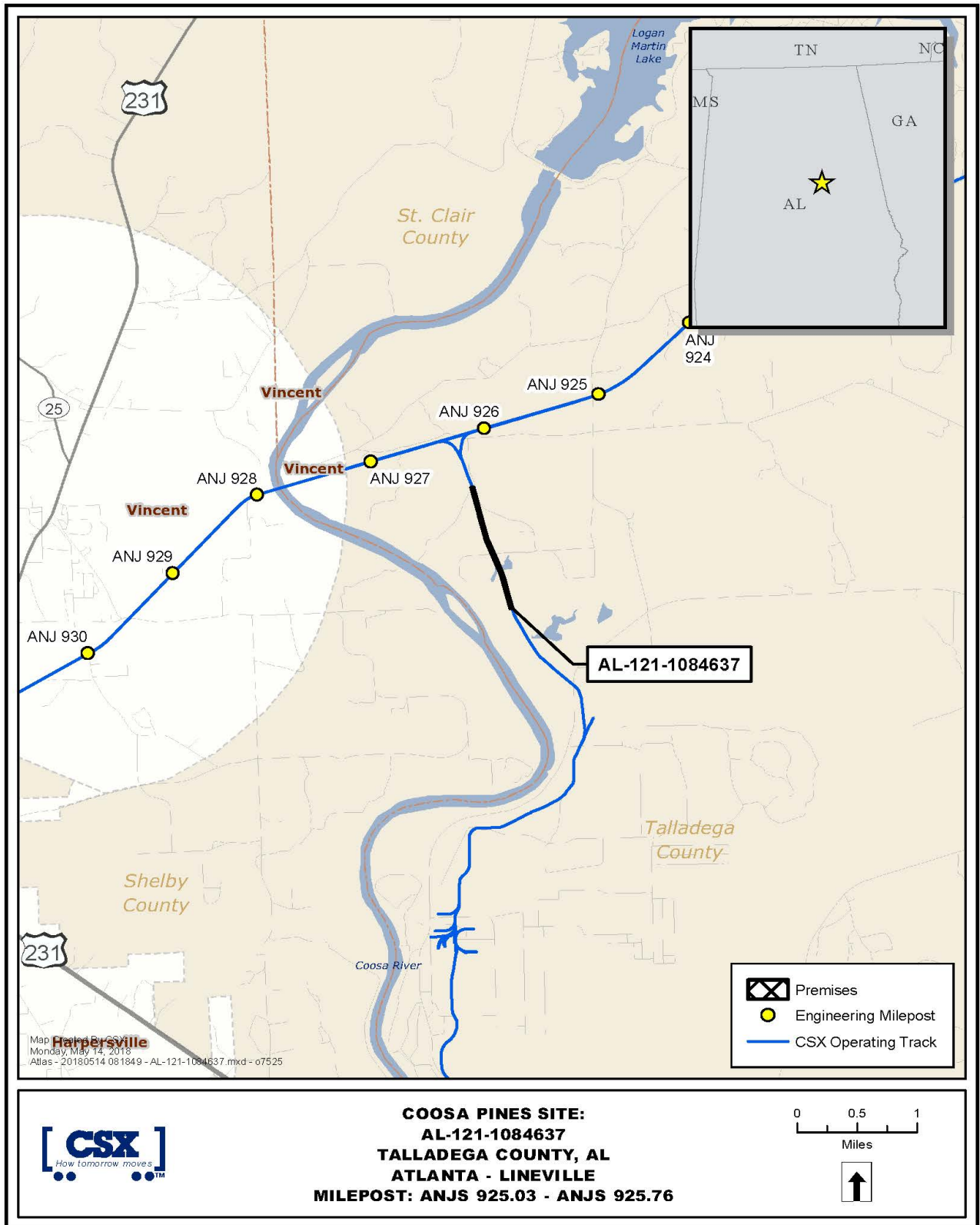












**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. FD 36330

**R. J. CORMAN RAILROAD COMPANY/CHILDERSBURG LINE, LLC –
CHANGE IN OPERATORS, LEASE AND OPERATION EXEMPTION WITH
INTERCHANGE COMMITMENT–
CITY OF CHILDERSBURG LOCAL REDEVELOPMENT AUTHORITY, NORFOLK
SOUTHERN RAILWAY COMPANY, CENTRAL OF GEORGIA RAILROAD
COMPANY, AND CSX TRANSPORTATION, INC.**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31 *et seq.***

EXHIBIT B

**R.J. CORMAN RAILROAD COMPANY/ CHILDERSBURG LINE LLC
CERTIFICATION OF REVENUES 49 C.F.R. § 1150.33(g)**

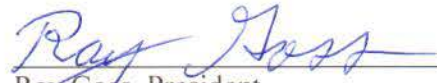
CERTIFICATION AND VERIFICATION

I, Ray Goss, President of R. J. Corman Railroad Company/Childersburg Line, LLC, hereby certify that RJAL's projected annual revenues will not as a consequence of the proposed transaction result in RJAL becoming a Class I or Class II rail carrier so as to require processing of the foregoing notice of exemption under 49 C.F.R. § 1150.35, and that RJAL's projected annual revenues will not exceed \$5,000,000.00.

I further hereby certify that on August 7, 2019, under cover of the attached letter (Exhibit C), served via first-class mail, postage prepaid, or by a more expeditious manner to all known shippers on the railroad line listed in Exhibit C-1, RJAL has provided notice of the proposed transaction (FD 36330).

Furthermore, pursuant to 28 U.S.C. 1746, I declare under penalty of perjury under the laws of the United States that the foregoing Notice of Exemption is true and correct to the best of my knowledge and belief. Further, I certify that I am qualified and authorized to file this pleading.

Executed on August 7, 2019.


Ray Goss, President
R.J. Corman Railroad Company/
Childersburg Line, LLC

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. FD 36330

**R. J. CORMAN RAILROAD COMPANY/CHILDERSBURG LINE, LLC –
CHANGE IN OPERATORS, LEASE AND OPERATION EXEMPTION WITH
INTERCHANGE COMMITMENT–
CITY OF CHILDERSBURG LOCAL REDEVELOPMENT AUTHORITY, NORFOLK
SOUTHERN RAILWAY COMPANY, CENTRAL OF GEORGIA RAILROAD
COMPANY, AND CSX TRANSPORTATION, INC.**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31 *et seq.***

**EXHIBIT C and EXHIBIT C-1
CERTIFICATION OF SERVICE ON SHIPPERS PER 49 C.F.R. § 1150.43(h)(1) (iii) and
49 C.F.R. § 1150.43 (h)(1)(v)**

EXHIBIT C

August 7, 2019

VIA U.S. MAIL

[SHIPPER ADDRESS]

RE: Docket No. FD 36330; R. J. Corman Railroad Company/Childersburg Line, LLC – Change in Operators, Lease and Operation Exemption with Interchange Commitment – City of Childersburg Local Redevelopment Authority, Norfolk Southern Railway Company, Central of Georgia Railroad Company, and CSX Transportation, Inc.

Dear Sir/Madam:

As a shipper on the rail line described herein, and in accordance with 49 C.F.R. § 1150.32(b), this letter serves as notification that R. J. Corman Railroad Company/Childersburg Line (“RJAL”) has agreed to assume the obligation to operate approximately 10.3 miles of rail line and related industrial track located at the former Alabama Army Ammunition Plant (the “CLRA Line”) which is currently operated jointly by Norfolk Southern Railway (“NSR”) and CSX Transportation, Inc. (“CSXT”) pursuant to a lease from the City of Childersburg Local Redevelopment Authority, a municipal agency of the City of Childersburg, Alabama (the “CLRA”). In addition, RJAL has agreed to lease and operate 0.73 miles of track from CSXT (the “CSXT Line”), and lease and operate 2.29 miles of track from NSR and Central of Georgia Railroad Company (“CoG”), a wholly owned subsidiary of NSR (the “NSR Line”), all of which are located in Talladega County, Alabama.

The CLRA Line consists of track from the south side of the Reservation of the Alabama Ordnance Works Track which adjoins the Alabama Ordnance Works Spur at approximately Milepost 1.38 (7,221.2 feet) northeast of the CoG P-Line at Milepost P 400.985 continuing north approximately 5.96 miles to the northern point adjoining CSXT track approximately Milepost 7.34 (8,716 feet south of CSXT Milepost AN 926).

The CSXT Line consists of rail track located from Milepost ANJA 925.03 to Milepost ANJS 925.76.

The NSR Line consists of the Alabama Ordinance Works Spur Track, from the insulated joint, south of the derail located approximately at Milepost 0.06 (309 feet) from the point of switch off of CoG’s P-Line (near Milepost P 400.985) to the adjoining CLRA track located at approximately Milepost 1.38 (6,912 feet) northeast, and the Coosa River Newsprint Spur Track from the insulated joints located on the wye tracks approximately 207 feet and 260 feet from the points of switch located off of NSR’s Southern Railway Line (near Milepost 102.187 N and Milepost 101.863 N respectively) for a distance of approximately 5,423 feet and 5,370 feet

respectively, where it joins the Alabama Ordnance Works Spur Track at Milepost 1.07. The CLRA Line, the CSXT Line and the NSR Line are collectively referred to as the “Line”.

RJAL will be filing a Notice of Exemption for the Change in Operators, Lease and Operation Exemption with Interchange Commitment at the Surface Transportation Board in Docket No. FD 36330.

Sincerely,

Catherine S. Wright
Attorney for the R. J. Corman Railroad
Company/Childersburg Line, LLC

EXHIBIT C-1

Resolute Forest Products (Corporate HQ)

111 Robert-Bourassa Blvd., Suite 5000
Montreal, Quebec, H3C 2M1, Canada

Resolute Forest Products US Office:

46 Beekman Street, Room 243
Plattsburgh, New York, 12901, United States

GEO Specialty Chemicals

300 Brookside Avenue
Building #23, Suite 100
Ambler, PA 19002-3420

JX Nippon Oil and Energy

20 N. Martingale Road, Suite 325
Schaumburg, IL 60173

Hawk Plastics LLC

193 First Road
Childersburg, AL 35044

Triple E Services Inc.

16591 Plant Road
Childersburg, AL 35044

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

Docket No. FD 36330

**R. J. CORMAN RAILROAD COMPANY/CHILDERSBURG LINE, LLC –
CHANGE IN OPERATORS, LEASE AND OPERATION EXEMPTION WITH
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COMPANY, AND CSX TRANSPORTATION, INC.**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.31 *et seq.***

**EXHIBIT D
CAPTION SUMMARY**

EXHIBIT D

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

FD 36330

**R. J. CORMAN RAILROAD COMPANY/CHILDERSBURG LINE, LLC –
CHANGE IN OPERATORS, LEASE AND OPERATION EXEMPTION WITH
INTERCHANGE COMMITMENT –
CITY OF CHILDERSBURG LOCAL REDEVELOPMENT AUTHORITY, NORFOLK
SOUTHERN RAILWAY COMPANY, CENTRAL OF GEORGIA RAILROAD
COMPANY, AND CSX TRANSPORTATION, INC.**

R. J. Corman Railroad Company/Childersburg Line (“RJAL”),¹ a non-carrier, hereby files this Verified Notice of Exemption to permit RJAL to: (1) change operators and assume the lease and operation of approximately 10.3 miles of rail line² and related industrial track located at the former Alabama Army Ammunition Plant (the “CLRA Line”) which is currently operated jointly by Norfolk Southern Railway Company (“NSR”), Central of Georgia Railroad Company (“CoG”), and CSX Transportation, Inc. (“CSXT”) pursuant to a lease from the City of Childersburg Local Redevelopment Authority, a municipal agency of the City of Childersburg, Alabama (the “CLRA”), (2) lease and operate 0.73 miles of track from CSXT (the “CSXT Line”) that connects to the CLRA Line to CSXT in the North, and (3) lease and operate 2.29 miles of track from NSR and CoG, a wholly owned subsidiary of NSR (the “NSR Line”) that connects to the CLRA Line to NSR in the South, all of which are located in Talladega County, Alabama. The CLRA Line, the CSXT Line and the NSR Line are collectively referred to as the “Line”.

Upon effective date of this Notice, RJAL will become a carrier and replace NSR, CoG, and CSXT as the CLRA Line’s operator. The leases of the CSXT Line and NSR Line are required in

¹ R. J. Corman Railroad Group, LLC, and its wholly owned subsidiary, R. J. Corman Railroad Company, LLC, who in turn owns 100% of RJCH, are filing a related proceeding to continue in control of RJCH upon it becoming a carrier while remaining in control of other existing R. J. Corman Railroad Group owned and controlled Class III STB regulated carriers. See R. J. Corman Railroad Group, LLC and R. J. Corman Railroad Company, LLC – Continuance in Control – R. J. Corman Railroad Company/Childersburg Line, LLC, FD 36331 (filed concurrently).

² CLRA acquired ownership of the line from the United States Government in 2003. See *City of Childersburg Local Redevelopment Authority–Acquisition Exemption–Rail Line of the United States Government*, Finance Docket No. 34324 (STB served Apr. 21, 2003) (“2003 Decision”). RJAL is assuming the lease and operation of the entire CLRA line referenced in the 2003 Decision. For purposes of clarification, while the 2003 Decision references approximately 12.68 miles of rail line, current measurement of the total main line and ancillary and support trackage on the former Alabama Army Ammunition Plant owned by CLRA revealed approximately 10.3 miles of trackage.

order for RJAL to assume operation of the CLRA Line and connect to CSXT and NSR's respective rail networks.

RJAL expects to consummate the proposed transactions on or shortly after the effective date of this Notice of Exemption.

Comments must be filed with the Board and served on Catherine S. Wright, Irvin Rigsby PLC, 110 North Main Street, Nicholasville, Kentucky 40356, (859) 724-4104.

This Notice is filed under 49 C.F.R. § 1150.31. If this 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.

Dated: _____, 2019

By the Board