

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. AB 1242

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Public Record

Hartwell First United Methodist Church—Adverse Abandonment and
Discontinuance—
The Great Walton Railroad Company, Inc.,
in Hart County, GA

January 2019 Status Report and Request
For Clarification and Intervention in State Proceeding

By its decision served January 31, 2018, the Board denied the application filed by the Hartwell First United Methodist Church (HFUMC) requesting that the Board authorize the adverse abandonment of approximately 0.25 miles of rail line and associated right-of-way (the Line) owned by The Great Walton Railroad Company, Inc. (GWRC). The Line, which consists of two interlinked tracks that have been combined to create a runaround track, is located between Athens Street and the end of end of the line at South Forest Avenue. The Line crosses over three other streets in Hartwell, Georgia, namely Bank Street, South Webb Street and South Jackson Street. Although the Board found that “the present and future PC&N do not support the requested adverse abandonment,”¹ it directed GWRC “to submit a status report once every six months, starting on July 31, 2018, describing its progress with respect to rehabilitation and utilization of the Line.”

¹ Slip op. at 4.

As reported in previously submitted status reports, the mainline portion of the runaround track has been completely refurbished from Jackson Street to Athens Street in Hartwell, Georgia. However, GWRC has not yet been able to complete the reconstruction of the runaround track that had long been used to move its locomotives from the front of an inbound train to the front end of the outbound trip. The portion of the runaround track that has not yet been finally reconstructed extends in an easterly direction from a lead rail that extends from a point on the mainline that is located to the east of Bank Street and extends to the west side of South Webb Street. From that point, the track extends to a point on the mainline that is a few feet to the west of South Jackson Street. As GWRC has previously reported, the Georgia Department of Transportation (GDOT) worked with GWRC to reconstruct both of the tracks that makeup the runaround track where it crosses over South Webb Street, which is a state road. That work, including the installation of crossbucks, was completed by March 15, 2018.

Currently, GWRC's utilization of the tracks is limited as litigation continues in Georgia before the Fulton County Superior Court. On or about August 2, 2019, GWRC will file its opening brief in support of its petition seeking judicial review of the decision of the Georgia Public Service Commission (PSC). As GWRC has previously advised the Board, by overruling the Initial Decision of the PSC's Hearing Examiner and ignoring relevant provisions of Georgia law that authorizes and empowers railroads to reconstruct their tracks and lines of railroad, the PSC unlawfully prevented

GWRC from completing the reconstruction of its track. The PSC's ruling has prevented GWRC from carrying out its business in a sensible fashion and forced to operate in a manner that reduces train safety. As a result, the ruling has the effect of unreasonably interfering with GWRC's rail operations.

Respectfully submitted,

/s/ Richard H. Streeter

Richard H. Streeter

Dated: July 30, 2019

CERTIFICATE OF SERVICE

I, Richard H. Streeter, do hereby certify that I, this 30th day of July, 2019, have served true copies of all documents filed on this date in STB Docket AB-1242 on all parties of record by email or by first-class mail, postage prepaid.

/s/ Richard H. Streeter

Richard H. Streeter