

# CLARK HILL

---

Eric M. Hocky  
T 215.640.8523  
F 215.640.8501  
Email: ehocky@clarkhill.com

Clark Hill PLC  
One Commerce Square  
2005 Market Street  
Suite 1000  
Philadelphia, PA 19103  
T 215.640.8500  
F 215.640.8501  
clarkhill.com

November 28, 2018

246829

## VIA E-FILING

Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20024

ENTERED  
Office of Proceedings  
November 28, 2018  
Part of  
Public Record

Re: **TOLEDO, PEORIA AND WESTERN RAILWAY CORPORATION**  
**- LEASE AND OPERATION EXEMPTION -**  
**WINAMAC SOUTHERN RAILWAY COMPANY**  
STB Docket No. FD 36255  
(contains color images)

Dear Ms. Brown:

Pursuant to 49 C.F.R. §1150.42(e), the undersigned counsel for Toledo, Peoria and Western Railway Corporation ("TPW") hereby certifies that on November 27, 2018, a copy of the enclosed Notice of Intent was posted at the on-duty location of the employees of U.S. RAIL Corporation (US RAIL), the current lessee, on West Morgan Street, Kokomo, Indiana. *See* the enclosed photograph showing the posting.

Cynthia T. Brown  
November 28, 2018  
Page 2

TPW understands that the employees of US RAIL are not represented by any labor unions, and accordingly, is not serving a copy of this letter or the enclosed Notice on the national offices of any labor unions.

Respectfully,

CLARK HILL PLC



Eric M. Hocky

EMH/e  
Enclosures

Before the

**SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36255

**TOLEDO, PEORIA AND WESTERN RAILWAY CORP.  
- LEASE AND OPERATION EXEMPTION -  
WINAMAC SOUTHERN RAILWAY COMPANY**

**NOTICE OF INTENT DIRECTED TO EMPLOYEES OF  
U.S. RAIL CORPORATION**

Pursuant to the regulations of the Surface Transportation Board (the "Board") at 49 CFR §1150.42(e), Toledo, Peoria and Western Railway Corp. ("TPW") hereby gives notice of its intent to lease from Winimac Southern Railway Company ("WSRY") the rail lines most recently leased to U.S. RAIL Corporation ("U.S. RAIL") between Bringham and Van Jct. (Logansport), between Eighteenth St. Yard (Logansport) and Kokomo, and between E. Markland Ave. (Kokomo) and S. Union St. (Kokomo), all of which are located in Indiana. The rail lines total approximately 46.3 miles in the aggregate. The TPW lease is intended to be effective as of 60 days after TPW certifies to the Board that this notice has been posted.

As a result of the transaction, TPW preliminarily estimates that the following jobs will be available at the starting hourly rates of pay indicated:

| <u>Jobs</u>                       | <u>Starting Rates of Pay</u>                   |
|-----------------------------------|------------------------------------------------|
| 2 Engineers/Conductors/Extraboard | \$23.00 - \$25.00 based on experience          |
| 1 Signal Maintainer               | \$52,000 - \$58,000 salary based on experience |
| 1 Track Inspector                 | \$50,000 - \$66,000 salary based on experience |

The number and types of positions listed represent TPW's current good faith estimate of the positions it expects to have available. The number of positions may change.

TPW employees will be provided with railroad retirement, medical insurance, holidays, vacation and other benefits consistent with the benefits currently provided to employees of TPW.

TPW is an equal opportunity employer. TPW employees will be selected based upon their experience and suitability of the jobs that may be offered. Successful applicants will be required to pass a standard background check, pre-employment drug and alcohol screen, complete a medical questionnaire, and take a physical exam. Employees subject to Federal

Railroad Administration certification qualifications will be required to provide proof that their certifications are current.

Any US RAIL employee interested in obtaining further information concerning positions that TPW may have available, should contact Mary Collins HR Director, at [Mary.collins@gwrr.com](mailto:Mary.collins@gwrr.com)

Applications for employment should be made by sending a cover letter and resume stating the applicant's experience, in chronological order, and providing references for any employment held during the last five (5) years and any rail industry employment held at any time. The applicant may apply for multiple job opportunities and must be sure to list those job opportunities, in order of interest, in his/her cover letter. The applicant must be available to start work on the effective date of the lease, approximately 60 days from the date of this notice.

Cover letters and resumes should be sent by regular or electronic mail to TPW as follows:

Mary Collins  
HR Director  
Midwest Region  
4349 Easton Way, Suite 110  
Columbus, OH 43219  
[Mary.collins@gwrr.com](mailto:Mary.collins@gwrr.com)

Toledo, Peoria and Western Railway Corp.

Dated: November 27 2018

By:   
\_\_\_\_\_  
Martin Pohlod  
President

Before the  
**SURFACE TRANSPORTATION BOARD**  
 STB Docket No. FD 36255

**TOLEDO, PEORIA AND WESTERN RAILWAY CORP.  
 - LEASE AND OPERATION EXEMPTION -  
 WINAMAC SOUTHERN RAILWAY COMPANY**

**NOTICE OF INTENT SUBMITTED TO EMPLOYEES OF  
 U.S. RAIL CORPORATION**

Pursuant to the regulations of the Surface Transportation Board (the "Board") at 49 CFR 1150.42(a), Toledo, Peoria and Western Railway Corp. ("TPW") hereby gives notice of its intent to lease from Winamac Southern Railway Company ("WSR") the rail line most nearly between Englewood St. Yard (Englewood) and Kokomo, Ind. (Kokomo), and between E. Maryland Ave. (Kokomo) and S. Union St. (Kokomo), all of which are located in Indiana. The rail line most nearly between Englewood St. Yard (Englewood) and Kokomo, Ind. (Kokomo) is approximately 46.1 miles in the aggregate. The TPW lease is intended to be effective as of 60 days after TPW certifies to the Board that this notice has been posted.

As a result of the transaction, TPW preliminarily estimates that the following jobs will be available at the starting hourly rates of pay indicated:

| Jobs                             | Starting Rate of Pay                           |
|----------------------------------|------------------------------------------------|
| 2 Engineers/Conductors/Exchandor | \$21.00 - \$25.00 based on experience          |
| 1 Signal Maintainer              | \$12.000 - \$14.000 salary based on experience |
| 1 Track Inspector                | \$10.000 - \$6.000 salary based on experience  |

The number and types of positions listed represent TPW's current good faith estimate of the positions it expects to have available. The number of positions may change.

TPW employees will be provided with railroad retirement, medical insurance, holidays, vacation and other benefits consistent with the benefits currently provided to employees of TPW.

TPW is an equal opportunity employer. TPW employees will be selected based upon their experience and suitability of the jobs that may be offered. Successful applicants will be required to pass a standard background check, pre-employment drug and alcohol screen, complete a medical questionnaire, and take a physical exam. Employees subject to Federal

22061394.2

Railroad Administration certification qualifications will be required to provide proof that their certifications are current.

Any U.S. RAIL employee interested in obtaining further information concerning positions that TPW may have available, should contact Mary Collins HR Director, at [Mary.collins@usrail.com](mailto:Mary.collins@usrail.com).

Applications for employment should be made by sending a cover letter and resume stating the applicant's experience, in chronological order, and providing references for any employment held during the last five (5) years and any rail industry employment held at any time. The applicant may apply for multiple job opportunities and must be sure to list those job opportunities, in order of interest, in his/her cover letter. The applicant must be available to start work on the effective date of the lease, approximately 60 days from the date of this notice.

Cover letters and resumes should be sent by regular or electronic mail to TPW as follows:

Mary Collins  
 HR Director  
 Midwest Region  
 6149 Eastern Way, Suite 110  
 Columbus, OH 43219  
[Mary.collins@usrail.com](mailto:Mary.collins@usrail.com)

Toledo, Peoria and Western Railway Corp.  
 By: *[Signature]*  
 Marc Pabst  
 President

Dated: November 27, 2018

22061394.2



OFFICE  
**ENTRANCE**



1120 1/2