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SERVICE DATE - FEBRUARY 28, 2003

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-846X]

Illinois Indiana Development Company, LLC–Abandonment Exemption–in LaPorte County,

IN

[STB Docket No. AB-344 (Sub-No. 2X)]

Chicago Southshore & South Bend Railroad–Discontinuance of Service Exemption–in LaPorte
County, IN

Illinois Indiana Development Company, LLC (IIDC) and Chicago Southshore & South
Bend Railroad (CSS) have filed a notice of exemption under 49 CFR 1152 Subpart F–Exempt
Abandonments and Discontinuances of Service for IIDC to abandon and CSS to discontinue
service over an approximately 0.6-mile line of railroad from approximately milepost 157.9, near
Dickson Street in Michigan City, northwest across Trail Creek to approximately milepost
158.5, near U.S. Highway 12, in LaPorte County, IN. The line traverses United States Postal
Service Zip Code 46360.

IIDC and CSS have certified that: (1) no local traffic has moved over the line for at
least 2 years; (2) overhead traffic, if any, can be rerouted over other lines; (3) no formal
complaint filed by a user of rail service on the line (or by a state or local government entity
acting on behalf of such user) regarding cessation of service over the line either is pending with

the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the abandonment or discontinuance shall be protected under Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, these exemptions will be effective on March 30, 2003, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 10, 2003. Petitions

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemptions' effective date. See Exemption of Out-of-Service Rail Lines, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemptions' effective date.

² Each OFA must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 20, 2003, with: Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicants' representative: Troy W. Garriss, Weiner Brodsky Sidman Kider PC, 1300 Nineteenth Street, N.W., Fifth Floor, Washington, DC 20036-1609.

If the verified notice contains false or misleading information, the exemptions are void ab initio.

Applicants have filed an environmental report which addresses the effects, if any, of the abandonment and discontinuance on the environment and historic resources. SEA will issue an environmental assessment (EA) by March 5, 2003. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington DC 20423) or by calling SEA, at (202) 565-1552. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339]. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historical preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), IIDC shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully

abandoned the line. If consummation has not been effected by IIDC's filing of a notice of consummation by February 28, 2004, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at
"WWW.STB.DOT.GOV."

Decided: February 21, 2003.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary