

30672

SERVICE DATE - DECEMBER 20, 1999

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33829]

Green Mountain Railroad Corporation--Acquisition and Operation Exemption--Certain Rights of Boston and Maine Corporation

Green Mountain Railroad Corporation (GMRC), a Class III common carrier by rail, has filed a verified notice of exemption under 49 CFR 1150, Subpart D--Exempt Transactions, to acquire from Boston and Maine Corporation (B&M) an exclusive freight railroad operations easement (Freight Easement) over a line of railroad extending between approximately milepost 123 in White River Junction, VT, and approximately milepost 163 in Wells River, VT, a total distance of approximately 40 rail miles, in Windsor and Orange Counties, VT (Subject Line).

This transaction is related to a concurrently filed verified notice of exemption filed in STB Finance Docket No. 33830, State of Vermont--Acquisition Exemption--Certain Assets of Boston and Maine Corporation and Springfield Terminal Railway Company.¹

Pursuant to a Purchase and Sale Agreement to be entered into by and between Vermont, B&M, and Springfield Terminal Railway Company (STR), Vermont will acquire B&M's right, title, and ownership interest, and STR's leasehold interest, in the right-of-way,

¹ The State of Vermont (Vermont) simultaneously filed a motion to dismiss the notice of exemption. The Board will address the jurisdictional issue raised by the motion to dismiss in a separate decision.

trackage, and other physical assets associated with the Subject Line. GMRC will acquire the freight operating easement retained by B&M and provide freight service over the Subject Line.

Consummation of this transaction is expected to occur on or after December 10, 1999, the effective date of the exemption.

This notice is filed under 49 CFR 1150.41. If the 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. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33829, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Andrew P. Goldstein, McCarthy Sweeney & Harkaway PC, 1750 Pennsylvania Avenue N.W., Suite 1105, Washington, DC 20006.

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

Decided: December 10, 1999.

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

Vernon A. Williams

Secretary