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SERVICE DATE - FEBRUARY 6, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-167 (Sub-No. 1179X)

CONSOLIDATED RAIL CORPORATION—DISCONTINUANCE
EXEMPTION—IN SUFFOLK COUNTY, MA

Decided: February 2, 2001

In a decision served on November 17, 1997, the Board granted to Consolidated Rail Corporation (Conrail) a discontinuance exemption¹ under 49 U.S.C. 10502, for a period of 3 years, until December 16, 2000. This limited-term exemption from the prior approval requirements of 49 U.S.C. 10903 allowed Conrail to temporarily discontinue service over a line of railroad known as the Boston Terminal Running Track (also referred to as “Track 61”), lying between the west side of Summer Street at approximately railroad milepost 0.85 and the end of the track at Boston Harbor Pier, a distance of approximately 2,635 feet, in the City of Boston, Suffolk County, MA. The exemption was subject to standard employee protective conditions,

CSX Transportation, Inc. (CSXT), which now would be the operator of the line pursuant to the Board’s authorization in CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company—Control and Operating Leases/Agreements—Conrail Inc. and Consolidated Rail Corporation, STB Finance Docket No. 33388 (STB served July 23, 1998), has requested² extension of the expiration date of the exemption for an additional 3 years, until December 31, 2003. According to CSXT, construction of the Central Artery/Tunnel Project, by the Massachusetts Turnpike Authority, is not complete; this construction was the reason for granting the exemption to Conrail.

Good cause having been shown, the exemption period will be extended from the expiration date of December 16, 2000, to December 31, 2003. This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The expiration date of the exemption previously granted in this proceeding is extended until December 31, 2003.

¹ Conrail sought this exemption in a petition filed on July 31, 1997. Notice of the filing was served on August 20, 1997, and published in the Federal Register on August 21, 1997 (62 FR 44514).

² The request was submitted by facsimile on December 14, 2000, and formally filed on December 15, 2000.

2. This decision is effective on the date of service.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams
Secretary