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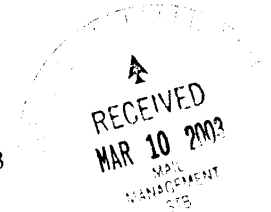
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207369

March 10, 2003



Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001

Re: EX PARTE NO. 282 (Sub-No. 20)
RAILROAD CONSOLIDATED PROCEDURES
EXEMPTION FOR TEMPORARY TRACKAGE
RIGHTS

VERIFIED STATEMENT OF JEFFERY K. STOVER

Dear Secretary Williams:

Please find enclosed the original and 10 copies of the verified statement of Jeffery K. Stover the Executive Director of SEDA-COG Joint Rail Authority for filing in the above captioned proceeding. I have enclosed two additional copies which I am requesting to be date stamped and returned to me by the messenger who delivered the filing.

Sincerely,

Keith G. O'Brien
Rea, Cross & Auchincloss
1707 L Street, N.W.
Suite 570
Washington, DC 20036

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Attorney for:
SEDA-COG Joint Rail Authority

207369

**BEFORE THE
SURFACE TRANSPORTATION BOARD**



**STB EX PARTE NO. 282 (SUB-NO. 20)
RAILROAD CONSOLIDATED PROCEDURES
EXEMPTION FOR TEMPORARY TRACKAGE RIGHTS**

**VERIFIED STATEMENT OF
JEFFERY K. STOVER**

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Dated: March 10, 2003

**Keith G. O'Brien
Rea, Cross & Auchincloss
1707 L Street, N.W.
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**Attorney for:
SEDA-COG Joint Rail Authority**

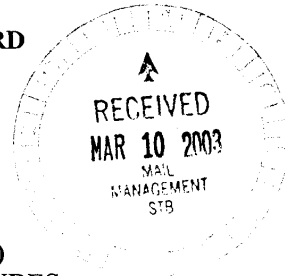
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BEFORE THE
SURFACE TRANSPORTATION BOARD



STB EX PARTE NO. 282 (SUB-No. 20)
RAILROAD CONSOLIDATED PROCEDURES
EXEMPTION FOR TEMPORARY TRACKAGE RIGHTS

VERIFIED STATEMENT OF JEFFERY K. STOVER

My name is Jeffery K. Stover and I am Executive Director of the SEDA-COG Joint Rail Authority ("JRA") which is affiliated with the SEDA-Council of Governments. JRA is a municipal authority formed in 1983 and currently consists of eight county members. The Authority owns land; rights-of-way and railroad tracks and contracts with short line rail operator(s) which in turn provide responsive rail services to shippers within our constituent counties. JRA's mission is to preserve and foster rail service in Central Pennsylvania and to further economic development through retention, improvement and expansion of the infrastructure and the rail service it supports.

Commencing with acquisition of two lines in 1984, the JRA now owns five rail lines that accommodate about 30,000 carloads of traffic a year. Through preservation of these lines and fostering ready availability of responsive rail service JRA has been in the forefront of economic development actively and expansion of employment in Central Pennsylvania over the past two decades.

Our rail lines are operated by North Shore Railroad Company, Juniata Valley Railroad Company, Nittany & Bald Eagle Railroad Company, Lycoming Valley Railroad Company and Shamokin Valley Railroad Company. All of these Class III railroads operate pursuant to contracts with JRA and are managed by Mr. Richard D. Robey. Because of the vital importance of responsive rail service throughout the region served by JRA we maintain a close working relationship with our operator. This relationship includes comprehensive reports from Mr. Robey and his staff concerning ongoing operations and maintenance of our lines during our monthly meetings.

In addition to our primary objection of fostering responsive rail service for our region, JRA does have a residual common carrier service obligation for all our lines. For these reasons we are committed to continuing an effective working relationship with Norfolk Southern Corporation ("NS") since all of our lines connect with NS. To this end we endeavor to work closely with our member counties, the short line operator and NS on economic and industrial development projects that are important to our region. In so doing we believe that we have achieved an effective public/private rail service partnership that will continue to demonstrate the ability to meet the changing needs of our region.

Specifically in regard to the proposed class exemption, JRA is mindful that carriers frequently accommodate each others maintenance and repair requirements by granting overhead trackage rights to accommodate a detour of traffic as needed work is accomplished. Such requirements are temporary in nature and the Board has occasionally acted to grant trackage right exemptions for a limited term rather than in

perpetuity.¹ JRA favors cooperation amongst rail carriers to facilitate necessary maintenance and repair work and supports adoption of a class exemption that would be available for limited term trackage rights agreements entered specifically for such purposes. However, JRA is very much opposed to extending such an exemption to other agreements which involve local service or connections with other carriers on which shippers may rely. Where shipper service interests are involved in trackage rights agreements JRA urges the Board to continue requiring that such agreements must remain effective unless the Board has specifically acted to authorize termination of the rights after affected shippers and other interested parties have been accorded the opportunity to raise their concerns as to adverse impacts of such action. Such concerns were recognized in the Board's recent decision in STB Finance Docket No. 34242 (Sub-No. 1), see footnote.

We appreciate the opportunity to express our support for an exemption involving temporary trackage rights for maintenance and repair work and to raise our concern that

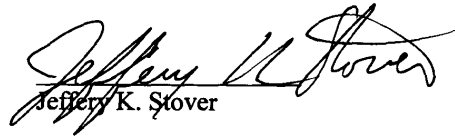
¹ See e.g., Union Pacific Railroad Company - Trackage Rights Exemption - The Burlington Northern and Santa Fe Railway Company, STB Finance Docket No. 34242 (Sub No. 1) (STB served October 7, 2002) and The Burlington Northern and Santa Fe Railway Company - Trackage Rights Exemption - Union Pacific Railroad Company, STB Finance Docket No. 34194 (Sub-No. 1) (STB Served May 14, 2002).

such an exemption should not be extended to trackage rights involving local service or service connections which may be of considerable importance to shipper and regional interests.

VERIFICATION

I, Jeffery K. Stover, declare under penalty of perjury, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verified Statement.

Executed on March 5, 2003.


Jeffery K. Stover