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209630

December 15, 2003

JOHN H. BROADLEY

Honorable Vernon Williams
Secretary
Surface Transportation Board
Suite 700
1925 K Street NW
Washington, D.C. 20423

ENTERED
Office of Proceedings

DEC 15 2003

Part of
Public Record

DEC 15 2003
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Re: Finance Docket No. 34419, The Indiana Rail Road Company -- Lease and Operate Exemption -- Lines of CSX Transportation, Inc. in Monroe County, IN.

Dear Mr. Williams:

Enclosed please find an original and eleven copies of a Verified Notice of Exemption pursuant to 49 CFR 1150.45 and a Caption Summary in the foregoing matter. Please stamp the additional copy and return it to me with our messenger.

Pursuant to the Board's regulations there is also enclosed a 3.5 inch diskette with the Verified Notice of Exemption, the Notice of Intent (served December 1, 2003) and the Caption Summary in WordPerfect format.

I have also enclosed a check payable to the Secretary of the Board as a filing fee in the amount of \$1400.

Should you have any questions concerning this matter, please do not hesitate to call me at the above number.

Yours very truly,

John Broadley
John Broadley

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BEFORE THE
SURFACE TRANSPORTATION BOARD
Washington, D.C.

_____)
The Indiana Rail Road Company -- Lease and
Operate Exemption -- Lines of CSX Transportation,))
Inc. in Monroe County, Indiana))
_____))

Finance Docket No. 34419

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NOTICE OF EXEMPTION OF LEASE AGREEMENT

Part of
Public Record

The Indiana Rail Road Company ("INRD") hereby gives notice pursuant to 49 CFR 1150.45(d) that it has entered into an agreement with CSX Transportation, Inc. ("CSXT") to lease and operate part of CSXT's line in Monroe County, Indiana in the city of Bloomington.

The following information is given as required by 49 CFR 1150.43:

(a) *The full name and address of the Class III rail carrier applicant:*

The Indiana Rail Road Company
101 West Ohio Street
Suite 1600
Indianapolis, IN 46204

(b) *The name address and telephone number of the representative of the applicant who should receive correspondence:*

John Bradley
John H. Bradley & Associates
1054 31st Street NW, Suite 200
Washington, D.C. 20007
Tel. 202-333-6025

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(c) *A statement that an agreement has been reached or details when an agreement will be reached:*

A lease agreement has been reached between INRD and CSXT.

(d) *The operator of the property:*

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INRD will operate the property.

(e) A brief summary of the proposed transaction, including:

(1) The name and address of the railroad transferring the subject property to the Class III rail carrier.

CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202

(2) The proposed time schedule for consummation of the transaction:

The parties contemplate consummating the transaction on or shortly after January 5, 2004.

(3) The mileposts of the subject property including any branch lines:

The subject property is a line of railroad running between CSXT MP 00Q 219.55 and CSXT MP 00Q 217.67 in or near Bloomington, County of Monroe, State of Indiana.

(4) The total route miles being acquired:

The line of railroad INRD will acquire under the lease comprises 1.88 miles.

(f) A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and states:

The required map is attached as Exhibit No. 1 to the copy of the Notice of Intent attached hereto.

(g) A certificate that applicant's projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier so as to require processing under 1150.45:

This notice is being processed under 49 CFR 1150.45.

A certification pursuant to 49 CFR 1150.42(e) was filed with the Board on October 17, 2003.

The following additional information is given as required by 49 CFR

1150.45(b)(1) and (2):

(1) A general statement of service intentions:

INRD proposes to use the leased trackage to switch the General Electric plant in Bloomington, IN. The General Electric traffic is currently switched by CSXT and the cars moved to CSXT's McDoel Yard where they are picked up by INRD and moved in haulage service for CSXT over INRD's trackage rights on CSXT and on INRD's own line north to Indianapolis or west to Illinois. After the proposed transaction, INRD will switch the General Electric plant and move the cars to the Hunter siding on the leased trackage. Instead of picking up the cars at McDoel Yard for movement in haulage service, after the transaction INRD's trains will pick up the cars at the Hunter siding.

INRD plans to switch General Electric up to three times per day on a five or six day per week basis as required. Two other industries are served by the line to be leased, Pliant (a producer of injection molded plastics), and US Foods (a food wholesale distributor.) INRD will serve these industries on an as-needed basis.

(2) A general statement of labor impacts.

INRD proposes to have two employees perform the switching functions described above using remote controlled locomotive technology. On October 17, 2003 INRD published a notice pursuant to 49 CFR 1150.42(e) describing its intention to hire such additional personnel and the terms it will offer. Such other functions as are required on the leased trackage will be performed using INRD's existing forces. INRD understands that CSXT currently employs 13 persons to provide the switching service to General Electric that INRD will perform after the lease.

Respectfully submitted,

THE INDIANA RAIL ROAD COMPANY

By: John Broadley
One of its attorneys
John Broadley
(DC Bar No. 238089)
JOHN H. BROADLEY & ASSOCIATES
1054 31st Street NW, Suite 200
Washington, D.C. 20007
Tel. 202-333-6025
Fax 202-333-5685

Dated: December 15, 2003

Attachment No. 1
(Notice of Intent Served Pursuant to 49 CFR 1150.45(a))
(Certification of Compliance)

I hereby certify that on December 1, 2003, I complied with 49 CFR 1150.45(a), (b), and (c) by serving copies of the attached Notice of Intent on the Governor of the State of Indiana, the State of Indiana Department of Transportation, the three shippers on the Line to be acquired, and the national offices of the labor organizations with employees on the Line by depositing copies thereof in the United States mail, postage prepaid, addressed to such parties at the addresses listed below:

Joseph E. Kernan
Governor
Statehouse Room 206
200 West Washington Street
Indianapolis, IN 46204

Commissioner J. Bryan Nicol
Indiana Department of Transportation
100 North Senate Avenue
Room IGCN 755
Indianapolis, IN 46204

Mr. Rich Nock
Warehouse Manager
General Electric
301 North Curry Pike
Bloomington, IN 47404

Mr. Fred Hunsucker
Warehouse Manager
U.S. Foodservice
311 North Curry Pike
Bloomington, IN 47404

Mr. Allan Howell
Plant Manager
Pliant
4100 Profile Parkway
Bloomington, IN 47404

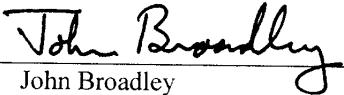
United Transportation Union

14600 Detroit Avenue
Cleveland, OH 44107-4250

Brotherhood of Locomotive Engineers
13720 Ontario Street
Cleveland, OH 44113

Brotherhood of Maintenance of Way Employees
20300 Civic Center Drive
Suite 320
Southfield, MI 48076-4169

Brotherhood of Railway Signalmen
601 West Golf Road
Mount Prospect, IL 60056-4276


John Broadley

Dated: December 15, 2003

The Indiana Rail Road Company -- Lease and
Operate Exemption -- Lines of CSX Transportation,
Inc. in Monroe County, Indiana

Finance Docket No. 34419

The Indiana Rail Road Company (“INRD”) hereby gives notice pursuant to 49 CFR 1150.45 that it intends to file a Notice of Exemption of a Lease Agreement that it has entered into with CSX Transportation, Inc. (“CSXT”) to lease and operate part of CSXT’s line in Monroe County, Indiana in the city of Bloomington. The following information is given as required by 49 CFR 1150.45(b) (the numbering refers to the subsection of 49 CFR 1150.43):

The Indiana Rail Road Company
101 West Ohio Street
Suite 1600
Indianapolis, IN 46204

John Bradley
John H. Bradley & Associates
1054 31st Street NW, Suite 200
Washington, D.C. 20007
Tel. 202-333-6025

(c) A statement that an agreement has been reached or details when an agreement will be reached:

A lease agreement has been reached between INRD and CSXT.

(d) The operator of the property:

INRD will operate the property.

(e) A brief summary of the proposed transaction, including:

(1) The name and address of the railroad transferring the subject property to the Class III rail carrier.

CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202

(2) The proposed time schedule for consummation of the transaction:

The parties contemplate consummating the transaction on January 5, 2004.

(3) The mileposts of the subject property including any branch lines:

The subject property is a line of railroad running between CSXT MP 00Q 219.55 and CSXT MP 00Q 217.67 in or near Bloomington, County of Monroe, State of Indiana.

(4) The total route miles being acquired:

The line of railroad INRD will acquire under the lease comprises 1.88 miles.

(f) A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and states:

The required map is attached as Exhibit No. 1.

(g) A certificate that applicant's projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier so as to require processing under 1150.45:

This notice is being processed under 49 CFR 1150.45.

A certificate pursuant to 49 CFR 1150.42(e) was filed with the Board on October 17, 2003.

1150.45(b)(1) A general statement of service intentions.

INRD proposes to use the leased trackage to switch the General Electric plant in Bloomington, IN. The General Electric traffic is currently switched by CSXT and the cars moved to CSXT's McDoel Yard where they are picked up by INRD and moved in haulage service for CSXT over INRD's trackage rights on CSXT and on INRD's own line north to Indianapolis or west to Illinois. After the proposed transaction, INRD will switch the General Electric plant and move the cars to the Hunter siding on the leased trackage. Instead of picking up the cars at McDoel Yard for movement in haulage service, after the transaction INRD's trains will pick up the cars at the Hunter siding.

INRD plans to switch General Electric up to three times per day on a five or six day per week basis as required. Two other industries are served by the line to be leased, Pliant (a producer of injection molded plastics), and US Foods (a food wholesale distributor.) INRD will serve these industries on an as-needed basis.

1150.45(b)(2) A general statement of labor impacts.

INRD proposes to have two employees perform the switching functions described above using remote controlled locomotive technology. On October 17, 2004 INRD published a notice pursuant to 49 CFR 1150.42(e) describing its intention to hire such additional personnel and the terms it will offer. Such other functions as are required on the leased trackage will be

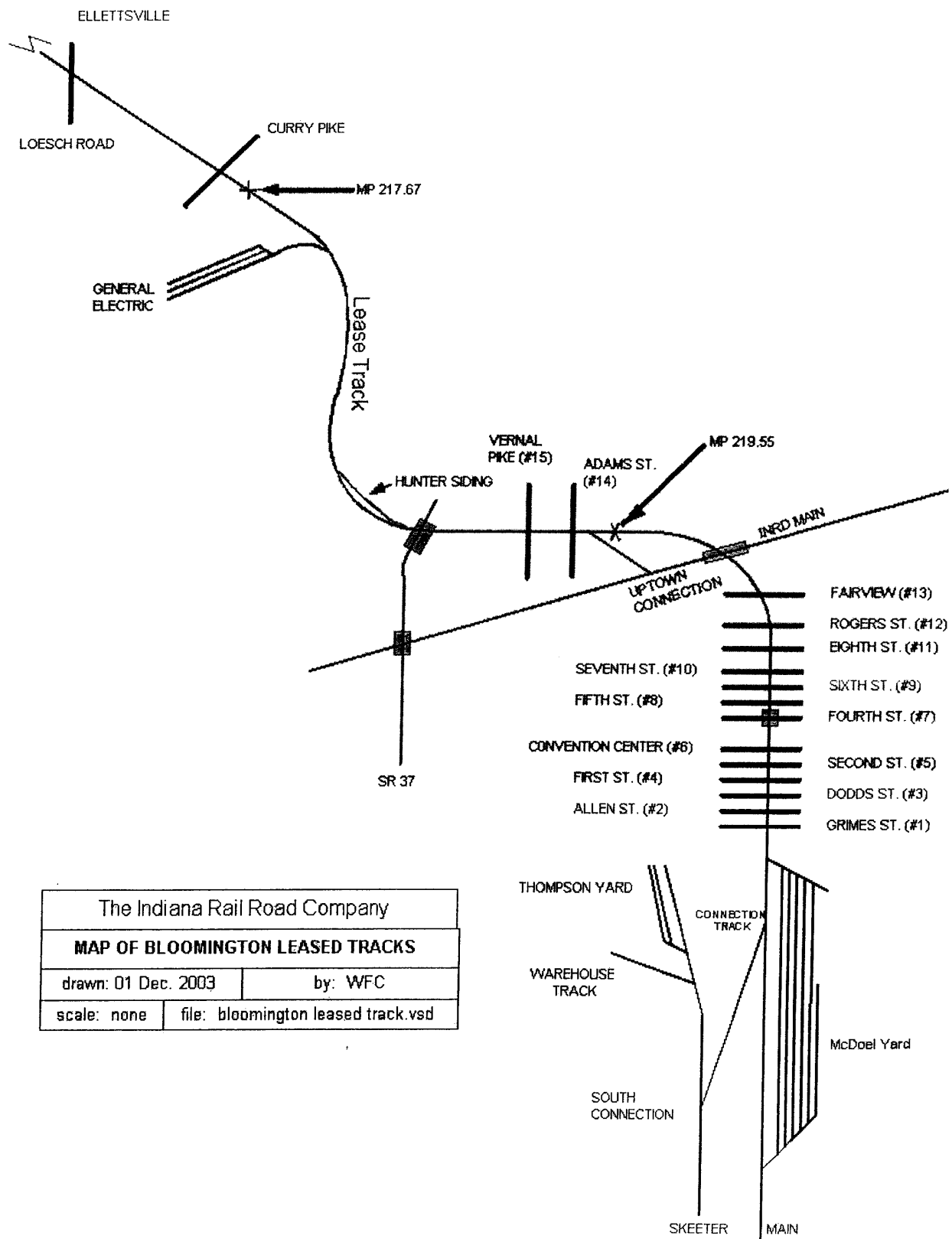
performed using INRD's existing forces. INRD understands that CSXT currently employs 13 persons to provide the switching service to General Electric that INRD will perform after the lease.

THE INDIANA RAIL ROAD COMPANY

By: John Broadley
One of its attorneys
John Broadley
(DC Bar No. 238089)
JOHN H. BROADLEY & ASSOCIATES
1054 31st Street NW, Suite 200
Washington, D.C. 20007
Tel. 202-333-6025
Fax 202-333-5685

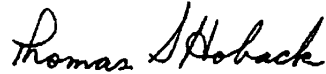
Dated: December 1, 2003

Exhibit No. 1
(Map of the Line to Be Acquired)



Verification
(28 U.S.C. 1746)
(18 U.S.C. 1621)

I hereby verify under penalty of perjury that the facts stated in the foregoing
Notice of Exemption are true and correct. I further certify that I am qualified and authorized to
file this Notice of Exemption.



Thomas G. Hoback, President
The Indiana Rail Road Company
101 West Ohio Street
Suite 1600
Indianapolis, IN 46204

Dated: December 15, 2003

SURFACE TRANSPORTATION BOARD

Notice of Exemption

STB Finance Docket No. 34419

The Indiana Rail Road Company -- Exemption Lease and Operate -- Lines of
CSX Transportation, Inc. in Monroe County, Indiana

The Indiana Rail Road Company has filed a notice of exemption to Lease and Operate CSX Transportation, Inc.'s line between CSXT Milepost 00Q 219.55 and CSXT Milepost 00Q 217.67 in Monroe County, Indiana. Comments must be filed with the Board and served on John H. Broadley, 1054 31st Street, N.W., Suite 200, Washington, D.C. 20007. The telephone number of petitioner's representative is 202-333-6025.

The notice is filed under 49 CFR 1150.41. If the notice contains false or misleading information, the exemption is void *ab initio*. The filing of a petition to revoke will not automatically stay the transaction.