



BRUSSELS CINCINNATI CLEVELAND COLUMBUS DAYTON NEW YORK WASHINGTON, D.C.

August 2, 2004

Via Hand Delivery

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K St., N.W.
Washington, D.C. 20423

FILED
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SURFACE
TRANSPORTATION BOARD



211709

RE: STB Finance Docket No. 34534 *Columbia & Reading Railway Co.—Acquisition
Exemption—Frank Sahd Salvage Center, Inc.*

Dear Secretary Williams:

Enclosed please find the original and ten (10) copies of the Verified Notice of Exemption of Columbia & Reading Railway Co., for filing in the above referenced docket. A check in the amount of \$1,400.00, made payable to the Surface Transportation Board, is also enclosed to cover the related filing fee. As a courtesy, electronic copies of this filing in Microsoft Word and Adobe Acrobat are contained on the enclosed diskette.

One additional copy of this filing is enclosed for stamping and return to our offices.

Should you have any questions regarding the foregoing, please do not hesitate to contact the undersigned.

Sincerely,

Michael H. Higgins

Jeffrey O. Moreno
Michael H. Higgins
Counsel for Columbia & Reading Railway Co.

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BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34534

COLUMBIA & READING RAILWAY CO.
— ACQUISITION EXEMPTION —
FRANK SAHD SALVAGE CENTER, INC.



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VERIFIED NOTICE OF EXEMPTION
OF
COLUMBIA & READING RAILWAY CO.

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Applicant, Columbia & Reading Railway Co., ("CRRC") of Lancaster, Pennsylvania, a non-carrier, hereby files this Verified Notice of Exemption, pursuant to 49 U.S.C. § 10502, 49 C.F.R. § 1150.31(a)(1), and 49 C.F.R. § 1152.27(i)(3) and states as follows:

a. Applicant's full name and address:

Columbia & Reading Railway Co.
1045 Lancaster Avenue
Columbia, PA 17512

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b. Name, address, and telephone number of Applicant's representative:

Jeffrey O. Moreno
Michael H. Higgins
Thompson Hine LLP
1920 N Street, N.W.
Suite 800
Washington, DC 20036-1601
(202) 331-8800

c. Agreement:

Frank Sahd Salvage Center, Inc., (“Sahd Salvage”) has agreed to transfer approximately 2.5 miles of railroad line located in Lancaster County, Pennsylvania, as more fully described below (the “Line”), to CRRC, so that CRRC may develop common carrier rail operations on and over the Line. CRRC is a corporate affiliate of Sahd Salvage.

Sahd Salvage acquired the Line through the OFA sale process from the 1411 Corporation, pursuant to 49 U.S.C. § 10904 and the regulations promulgated thereunder. The Line was formerly operated by the Middletown & Hummelstown Railroad Company. See STB Docket No. AB-581X, 1411 Corporation—Abandonment Exemption—in Lancaster County, PA, (Served Nov. 8, 2001) and STB Docket No. AB-529X, Middletown & Hummelstown Railroad Company—Abandonment Exemption—in Lancaster County, PA, (Served Nov. 8, 2001), aff’d Borough of Columbia v. STB, 342 F.3d 222 (3rd Cir. 2003). There are currently no active rail shippers on the Line.

Presently, CRRC is neither a railroad, nor a person in control of a railroad.

d. Operator of the property:

A third-party contractor will provide rail service on and over the Line. The third-party contractor has not yet been determined.

e. Brief summary of the proposed transaction.

1. The name and address of the entity transferring the property:

Frank Sahd Salvage Center, Inc.
1045 Lancaster Avenue
Columbia, PA 17512

2. Proposed time schedule for consummation of the transaction:

On or about seven days after the date of this Verified Notice of Exemption.

3. Milepost designations of the subject property:

MP 39.3 in the Borough of Columbia to MP 37.2 in West Hempfield Township in Lancaster County, PA.

4. The total route miles being acquired:

Approximately 2.5 total route miles are being acquired.

f. Map:

A map of the Line is attached hereto as Exhibit A.

g. Projected revenue certification:

CRRC's projected revenues are not expected to exceed those of a Class III railroad, or \$5 million annually, requiring notification of employees pursuant to 49 C.F.R. 1150.32(e).

h. Environmental certification:

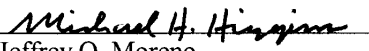
Since this is an acquisition by a non-carrier of rail property that would be operated by a third-party, pursuant to a class exemption from the requirements of 49 U.S.C. § 10901(a), which will result in no significant changes in railroad operations exceeding the thresholds of 49 C.F.R. § 1105.7(e)(4) or (5), no environmental documentation is required. Similarly, since the proposed transaction will not result in the disposition or alteration of properties 50 years old or older, within the meaning of 49 C.F.R. § 1105.8(b)(1), and will not substantially change the level

of maintenance of railroad property, within the meaning of 49 C.F.R. § 1105.8(b)(4), no historic report is required.

Respectfully submitted,

Columbia & Reading Railway Co.

By its attorneys,


Jeffrey O. Moreno
Michael H. Higgins
Thompson Hine LLP
1920 N Street, N.W.
Suite 800
Washington, DC 20036-1601
(202) 331-8800

Dated: August 2, 2004

VERIFICATION

I, Ronald G. Sahd, President of Columbia & Reading Railway Co., declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing Verified Notice of Exemption and that its statements are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Columbia & Reading Railway Co. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. § 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. § 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Lancaster, Pennsylvania, this 28th day of August 2004.



Ronald G. Sahd

EXHIBIT A

MAP

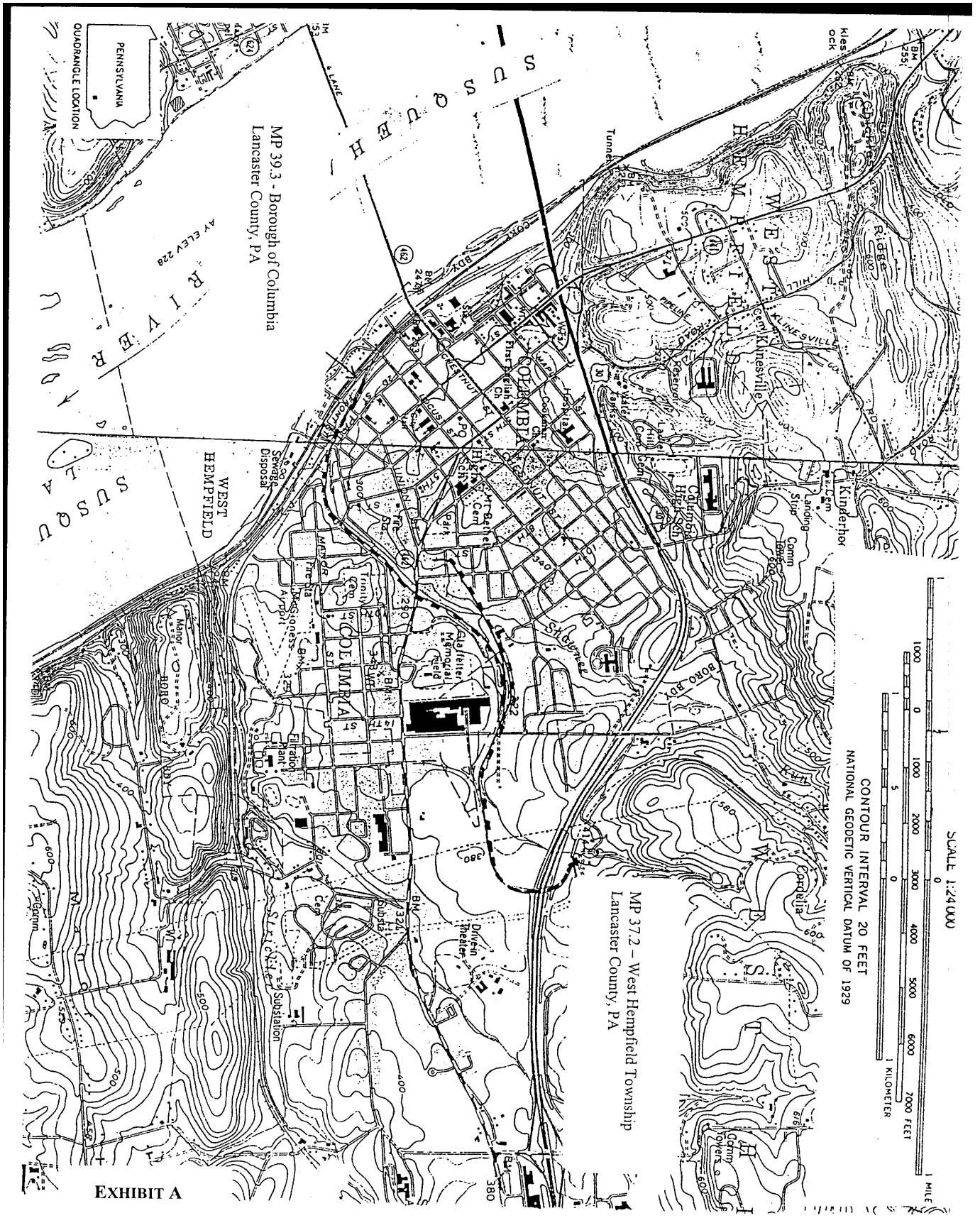


EXHIBIT A

CAPTION SUMMARY
BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 34534

COLUMBIA & READING RAILWAY CO.
— ACQUISITION EXEMPTION —
FRANK SAHD SALVAGE CENTER, INC.

Columbia & Reading Railway Co. ("CRRC"), a non-carrier, has filed a Verified Notice of Exemption to acquire approximately 2.5 miles of railroad line in Lancaster County, Pennsylvania, presently owned by the Frank Sahd Salvage Center, Inc., ("Sahd Salvage"). Sahd Salvage intends to transfer the railroad line to CRRC, so that CRRC may develop common carrier rail operations, which will be provided by a yet to be determined third-party. The milepost designations for the line are as follows: MP 39.3 in the Borough of Columbia to MP 37.2 in West Hempfield Township in Lancaster County, PA. Comments must be filed with the Board and served on Jeffrey O. Moreno, Esq., Thompson Hine LLP, 1920 N Street, N.W., Suite 800, Washington, D.C. 20036 (tel. 202-331-8800). The Verified Notice of Exemption is filed pursuant to 49 U.S.C. § 10502, 49 C.F.R. § 1150.31(a)(1), and 49 C.F.R. § 1152.27(i)(3). If the Notice contains false or misleading information, then the exemption is void *ab initio*. Petitions to revoke the exemption, pursuant to 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.