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Mr. Vernon A. Williams, Sec'y
Surface Transportation Board
1925 K Street NW Room 711
Washington, DC 20423

via E-Filing

July 24, 2006

Re: Docket Number: AB_167_1185_X CONSOLIDATED RAIL CORPORATION--
ABANDONMENT EXEMPTION--IN MERCER COUNTY, NJ

Dear Secretary Williams;

Attached are the comments of W.R. Allen Associates in the above captioned matter.

Thank you for your attention to this matter.

Sincerely;

/s/ Michael E. Allen

Michael E. Allen
Managing Partner

Cc: All Parties of Record

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C. 20423**

STB NO. 167 (SUB-NO.1185 X)

**CONSOLIDATED RAIL CORPORATION
- ABANDONMENT EXEMPTION -
IN MERCER COUNTY, NJ**

COMMENTS OF W. R. ALLEN ASSOCIATES

Prepared By:

**Michael E. Allen
W.R. Allen Associates
P.O. Box 662
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609-683-0356**

July 23, 2006

**BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C. 20423**

STB NO. 167 (SUB-NO.1185 X)

**CONSOLIDATED RAIL CORPORATION
- ABANDONMENT EXEMPTION -
IN MERCER COUNTY, NJ**

COMMENTS OF W. R. ALLEN ASSOCIATES

W.R. Allen Associates is a transportation consulting firm which specializes in matters relating to railroad real estate. This has included researching of historical title to various properties, preparation of historical materials concerning the use of the properties, and analysis of continued viability for railroad purposes. The firm was involved in the valuation of the assets of the Penn Central Transportation Company for the Special Reorganization Court and we first became familiar with the line in question at that time.

HISTORY AND OBSERVATIONS

The 5.7 mile line in question is actually a segment of a longer line which was once one of the key links in the primary route between New York and New England on the one end and Philadelphia and the South on the other¹. A review of the Interstate Commerce Commission

¹ W.R. Allen Associates stipulates to the accuracy of the information provided by Mr. Alan Buchan of the Pennsylvania Railroad Technical and Historical Society in EI 2420

Bureau of Valuation Form 108s² for this line segment confirms that the property was dedicated to railroad use between 1830 and 1837.

This line has already been subject to two prior abandonments. The first abandonment was approximately 2 miles between the current end of track at what is now MP 37.90³ (MP 23.7) and Hightstown MP 21.7. This was done prior to the formation of Conrail. Conrail further abandoned the segment between Hightstown and Cranbury, MP 18.6 in AB-167 Sub-No. 408N served on February 24, 1982.

The line segment immediately south of the segment in question passes through several residential and commercial areas along with the community of Yardville and connects at Bordentown with the trackage which Consolidated Rail Corporation shares with New Jersey Transit's South Jersey Light Rail Line.

The abandoned segment north of the current end of track runs through the commercial center of the Borough of Hightstown. The intact segment runs from Cranbury to Jamesburg and passes through the Exit 8A area of adult communities. This segment connects with New Jersey Transit's proposed Middlesex Ocean Monmouth (MOM) project at Jamesburg.

The line between Bordentown and Jamesburg is parallel to, and often in sight of, both the New Jersey Turnpike and U.S. Route 130 for its entire length. A field survey conducted on July

² Held by the National Archives and Records Administration at College Park, Maryland.

³ At some point subsequent to 1981 the mileposts on this segment were changed to reflect the extension of mileages on Bordentown Branch from Camden rather than from South Amboy. MP 37.90 from Camden in the current filing equates to MP 23.70 from South Amboy previously. The prior mileposts have been confirmed from the Pennsylvania Railroad C. T. 1000 dated May 1, 1945 and the current mileposts from the Conrail Zone Track Spot map dated April 1994.

14th indicates that the only significant impediments to reconnecting the line are the embankment north of Hightstown which carries New Jersey Route 133 over the right of way and the need to replace two overpasses and a bridge in the Borough of Hightstown.

The segment currently proposed for abandonment begins at an industrial park near the junction of U.S. Route 130 and Interstate 295 in Hamilton Township and continues north through the villages of Robbinsville and Windsor to a point just south of the northerly intersection of New Jersey Route 33 and U.S. Route 130 immediately south of the Borough of Hightstown. The field survey confirmed that there has been no traffic on the line for some time (based on tree growth within the gauge at Windsor) and that there are no active industries along this segment which would appear to benefit from direct rail service.

It was also determined, however, that there are at least two industrial properties with rail access currently for sale along the segment in question and two more along the right of way within two miles of the current end of track and that these could be accessed by simply extending the track along the existing right of way and installing a crossing on U.S. Route 130⁴.

There has also been significant housing growth in the area. There is hardly a point where the line in question is more than one mile from a housing development. Robbinsville alone has multiple blocks of multi-family housing currently being constructed within sight of the track.

⁴ The crossing at this location was previously part of a flyover as this is also the point where New Jersey Route 33 East and U. S. Route 130 North diverge. Subsequent to the abandonment of this line segment the New Jersey Department of Transportation demolished the flyover and replaced it with a traffic light.

CONCLUSIONS AND RECOMMENDATIONS

Continued Rail Freight Service: Taken by itself this line segment's value for continued common carrier freight use appears negligible. The agricultural base of the area which was once the source of much of the local traffic on this line is gone with the farms being replaced with housing. It is highly unlikely that the industrial properties mentioned above will all require rail service in the immediate future or that buyers of the two properties beyond the current end of track will be able to justify the extension on their own.

Clearance issues with the historic tunnels in Bordentown limit the size of the railcars used on the line. Even if the line were to be reconnected through Hightstown its value as a through freight route is limited if these issues cannot be resolved.

Passenger Rail Development: Again taken by itself the value of this segment is nil. Taken as part of a larger whole, it is an essential component.

As mentioned above the segment of the Robbinsville Industrial Track which is not slated for abandonment has a physical connection with the South Jersey Light Rail Line at Bordentown. The population growth in the area makes the line between Bordentown and the current end of track ideally suited as an extension of the Light Rail system. A two mile extension on existing right of way, which would not require replacing the bridges, would allow connection from downtown Hightstown through Windsor, Robbinsville and Yardville to Bordentown and thence to downtown Trenton and Camden.

In a much longer view, if the line were to be reconnected through Hightstown, it would also serve the 8A and Jamesburg areas with a connection to South Jersey and give the area south of Hightstown a connection with MOM and there by New York and Northern New Jersey

Trail Use: Despite Washington Township's contention that portions of the line parallel to U.S. Route 130 are unsuitable for use as a trail, the line is a relatively straight, level corridor with no significant bridges or tunnels from the center of Hightstown through the Windsor Historic District, through Robbinsville and on toward Yardville. In our view, if the corridor is not being used for rail service it is ideally suited for use as a trail. In fact, a portion of the line is a trail through Hightstown.

Recommendations: For the reasons cited above we can see no reason to retain service for shippers that do not exist and are unlikely to appear in the immediate future and do not oppose the abandonment. We do however urge the Board to order that the right of way remain intact for future use and that any legitimate offers of financial assistance which have an actual traffic base receive due consideration.

Respectfully Submitted

/s/ Michael E. Allen

Michael E Allen
W.R. Allen Associates
P.O. Box 662
Rocky Hill, NJ 08553

CERTIFICATE OF SERVICE

I hereby certify that I have duly served the foregoing comments of W.R. Allen Associates upon all parties of record herein by causing a copy thereof to be delivered via First Class Mail postage prepaid at Rocky Hill, New Jersey this 24th day of July 2006, addressed as follows:

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Save Hamilton Open Space
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/s/ *Michael E. Allen*