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Office of Chief Counsel
May 18, 2026
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May 18, 2026

Chief of Case Administration
Office of Chief Counsel
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: STB Docket No. FD 36919
Galveston Railroad, L.P.
- Lease and Operation Exemption -
Board of Trustees of the Galveston Wharves

Dear Chief of Case Administration:

Enclosed for e-filing on behalf of Galveston Railroad, L.P. is a Notice of Exemption being filed under 49 U.S.C. § 10902.

The filing fee was paid using Pay.gov. Please let me know if there are any questions regarding this filing.

Sincerely,

Justin J. Marks
Counsel for Galveston Railroad, L.P.

Enclosure

FEE RECEIVED
May 18, 2026
SURFACE
TRANSPORTATION BOARD

FILED
May 18, 2026
SURFACE
TRANSPORTATION BOARD

Before the
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 36919

GALVESTON RAILROAD, L.P.
- LEASE AND OPERATION EXEMPTION-
BOARD OF TRUSTEES OF THE GALVESTON WHARVES

VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. §10902

(includes color images)

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Attorneys for Galveston Railroad, L.P.

Dated: May 18, 2026

**Before the
SURFACE TRANSPORTATION BOARD**

STB Docket No. FD 36919

**GALVESTON RAILROAD, L.P.
- LEASE AND OPERATION EXEMPTION-
BOARD OF TRUSTEES OF THE GALVESTON WHARVES**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. §10902**

Galveston Railroad, L.P. (“GVSR”), a Class III railroad and wholly-owned subsidiary of Genesee & Wyoming Inc.,¹ files this Notice of Exemption under 49 USC § 10902 to exempt from regulation, GVSR’s entry into a Lease Amendment with Board of Trustees of the Galveston Wharves (“GW”). The Leased Line does not have mileposts but includes the track in and around the Port of Galveston, TX. GVSR first received authority to operate the Leased Lines in 1987 under the name Galveston Railway, Inc.² GVSR subsequently acquired Galveston Railway, Inc.³ GVSR and GW entered into a new 20 year lease in August of 2006, but GVSR evidently never obtained Board authority to enter into that lease agreement or any subsequent lease amendments. Realizing this oversight, GVSR is now seeking Board authority to enter into a lease amendment extending the term of the lease by one year with a provision that automatically renews the Lease Amendment for two additional one-year periods.

¹ *Genesee & Wyoming Inc., RP Acquisition Company One and RP Acquisition Company Two – Control Exemption – Rail Partners, L.P., AN Railway, Et al., Atlantic & Western Railway, et al., and KWT Railway, Inc.*, STB Finance Docket No. 34708 (served June 24, 2005).

² *Galveston Railway, Inc. – Lease and Operation of Rail Lines of Galveston Wharves*, ICC Finance Docket No. 31141, 1987 WL 99783 (decided Oct. 29, 1987).

³ *Galveston Railroad, L.P. – Acquisition and Operation Exemption – Galveston Railway, Inc.*, ICC Finance Docket No. 31869 (Sub-No. 1), 1991 WL 118456 (served July 5, 1991).

Despite this oversight, GVSR has been operating as a common carrier under the authority it acquired through its acquisition of Galveston Railway, Inc. GVSR is seeking authority to enter into the Lease with GW but recognizes that the grant of such authority is not retroactive.

Notice

In accordance with 49 C.F.R. §1150.43, GVSR hereby provides the following information:

- (a) The full name and address of Applicant: Galveston Railroad, L.P., P.O. Box 1108, Galveston, TX 77553.
- (b) Applicant's Representatives:

Justin J. Marks Clark Hill PLC 1001 Pennsylvania Ave. N.W. Suite 1300 South Washington, DC 20004 (202) 772-0916	Eric M. Hocky Clark Hill PLC Two Commerce Square 2001 Market St. Suite 2620 Philadelphia, PA 19103 (215) 640-8523
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- (c) GVSR and GW are entering into the Lease Amendment which would extend the term of the 2006 lease for an additional one year with a provision that automatically renews the Lease Amendment for two additional one-year periods.
- (d) The current operator of the Leased Line is GVSR, and GVSR will continue to be the operator after the transaction.
- (e) Brief Summary of the Proposed Transaction: In 1987, GVSR (under the name Galveston Railway, Inc.) entered into a lease with GW. The parties entered into a new lease in 2006. The parties now seek to extend the terms of the 2006 lease.
 - i. The name and address of the company leasing the Leased Line to GVSR is Board of Trustees of the Galveston Wharves, 123 Rosenberg Street, Galveston, TX

77550.

- ii. The Lease Amendment will be effective thirty days after filing of this Notice of Exemption. GVSR is currently operating the Leased Line and will continue to do so after the Lease Amendment becomes effective.
- iii. No milepost exists at the port, The Leased Line includes all of the track in and around the Port of Galveston, TX.
- iv. The total route miles to be leased and operated includes approximately 14 miles of rail line.⁴
- (f) Attached as Exhibit A to this Notice of Exemption is a map of the Leased Line.
- (g) GVSR certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier.⁵
- (h) GVSR certifies that the lease which is being amended does not include an interchange commitment.

Labor Protection

GVSR is a Class III carrier, and pursuant to 49 U.S.C. §10902(d), approval of this transaction may not be subjected to labor protection conditions. Additionally, since GVSR is already the operator of the Leased Line, there will be no employees adversely affected by the lease arrangements.

Environmental and Historic Reports

⁴ In the 1987 Galveston Railway, Inc. docket, the notice states that the length of track is 38 miles. GVSR is unaware how that number of track miles was calculated but it is inconsistent with GVSR's calculations. See *Galveston Railway, Inc.– Lease and Operation of Rail Lines of Galveston Wharves*, ICC Finance Docket No. 31141, 1987 WL 99783 (decided Oct. 29, 1987).

⁵ GVSR additionally certifies that its projected revenues after the transaction will not exceed \$5,000,000 per year.

This is an extension of a lease for continued rail operations that will not result in changes in carrier operations that will exceed the thresholds established in 49 C.F.R. §1105.7(e)(4) or (5). Further Board approval is required for GVSR to discontinue service or for GW to abandon the line. Accordingly, no environmental or historic documentation is required. See 49 C.F.R. §1105.6(c)(1); 49 C.F.R. §1105.8(b)(1).

Caption Summary

Attached hereto as Exhibit B is the caption summary required by 49 C.F.R. §1150.44.

Conclusion

Accordingly, GVSR requests that the Board issue a notice allowing the Lease Amendment to become effective 30 days from the filing of this Notice of Exemption.

Respectfully submitted,



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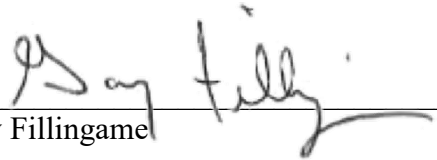
Dated: May 18, 2026

Attorneys for Galveston Railroad, L.P.

VERIFICATION

I, Gary Fillingame, President of *Galveston Railroad, L.P.*, verify under penalty of perjury that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file the foregoing document.

Executed on May 18, 2026



Gary Fillingame

EXHIBIT A

MAPS



 **GVSR** Galveston Railroad, L.P.



EXHIBIT B

CAPTION SUMMARY

**Before the
SURFACE TRANSPORTATION BOARD
STB Docket No. FD 36919**

**GALVESTON RAILROAD, L.P.
- LEASE AND OPERATION EXEMPTION-
BOARD OF TRUSTEES OF THE GALVESTON WHARVES**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. §10902**

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Comments must be filed with the Board and served on GVSR’s representative, Justin Marks, Esq., Clark Hill, 1001 Pennsylvania Ave. N.W., Suite 1300 South, Washington, DC 20004, (202) 772 0916, jmarks@clarkhill.com.

The Notice is filed under 49 C.F.R. §1150.41. If the Notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 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.

Board decisions and notices are available at www.stb.gov.

Decided: May __, 2026.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.