



Surface Transportation Board
Washington, D.C. 20423-0001

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Office of the General Counsel

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Office of Proceedings

Meeting under Section 5, STB Reauthorization Act

June 11, 2021

March 23, 2021

Part of

Public Record

Present: Members Begeman, Fuchs, Oberman, Primus, and Schultz
Staff Stephanie Borges, Rachel Campbell, Ellen Erichsen, Christopher
Falcone, Amanda Gorski, Theodore Hunt, Craig Keats, Adam Kress, Barbara
Miller, Lisa Novins, Valerie Quinn, Janie Sheng, Michael Small, Amy Ziehm,
Scott Zimmerman

Topic: Docket No. FD 36467, New York City Economic Development Corp.
on Behalf of the City of New York—Petition for Declaratory Order

Summary of the Matters Discussed, Prepared by General Counsel Craig Keats:

At this meeting, staff briefed Board Members on the petition filed by the New York City Economic Development Corp. (NYCEDC) seeking a declaratory order that certain rail track and facilities in New York City are not subject to the Board's licensing authority because they fall under the provisions of 49 U.S.C. § 10906. NYCEDC also seeks a finding that the track has been abandoned. No responses to the petition were filed.

Staff and Board Members discussed the nature and history of the facilities and track, including prior Interstate Commerce Commission decisions relating to the track, precedent relating to 49 U.S.C. § 10906 track and abandonments, and options for addressing the petition.