

Pioneer

Rail & Transload

307696

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December 21, 2023
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Public Record

December 21, 2023

Cynthia T Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

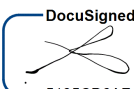
Michael Olender
Principal
Pioneer Rail & Transload of El Reno, Oklahoma
a Division of Pioneer Storage Company, LLC
Mailing:
1200 N Grand Ave
El Reno, OK 73036

Re: Pioneer Rail & Transload of El Reno, OK, a Division of Pioneer Storage Company, LLC
Union Pacific railroad Track #/ID 707, Circ 7: HM403 , Yard 1, Mile Post: 514.5, Oklahoma City
Length of Rail:8,530 ft, 4 switches
Lease and Operation Exemption
Surface Transportation Board Finance Docket FD36749

Dear Cynthia Brown,

Enclosed for filing in the above referenced docket is a verified notice of exemption filed under 49 U.S.C. § 10901.
The filing fee has been paid via pay.gov.

Sincerely,

DocuSigned by:

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Michael Olender
Principal
Pioneer Rail & Transload of El Reno, Oklahoma, a Division of Pioneer Storage Company, LLC

Enclosure

FILED
December 21, 2023
SURFACE
TRANSPORTATION BOARD

FEE RECEIVED
December 21, 2023
SURFACE
TRANSPORTATION BOARD

**Before the
SURFACE TRANSPORTATION BOARD
STB Docket No. FD 36749
Pioneer Rail & Transport of El Reno, Oklahoma, a Division of Pioneer Storage Company, LLC
- OPERATION EXEMPTION – LINE IN EL RENO, OKLAHOMA**

VERIFIED NOTICE OF EXEMPTION UNDER 49 U.S.C. §10901

Michael Olender
Principal
***Pioneer Rail & Transload of El Reno, Oklahoma,
a Division of Pioneer Storage Company, LLC***
Mailing:
1200 N Grand Ave
El Reno, OK 73036
Michael@PioneerRT.com

Renner Jantz
Legal Counsel
***Pioneer Rail & Transload of El Reno, Oklahoma,
a Division of Pioneer Storage Company, LLC***
Mailing:
1200 N Grand Ave
El Reno, OK 73036
Info@PioneerRT.com

Date: December 21, 2023

**Before the
SURFACE TRANSPORTATION BOARD
STB Docket No. FD 36749**

**Pioneer Rail and Transload of El Reno, Oklahoma, a Division of Pioneer Storage Company, LLC
- OPERATION EXEMPTION – LINE IN El Reno, Oklahoma**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 U.S.C. §10901**

This Verified Notice is filed pursuant to 49 C.F.R. §1150.31 by Pioneer Rail & Transload of El Reno, Oklahoma, a Division of Pioneer Storage Company, LLC (“PRT”), a non-carrier, to exempt from regulation under 49 U.S.C. §10901, its operation of 8530 feet of existing railroad trackage inside an existing industrial facility (the “Rail Line”). A map of the Rail Line is attached as Exhibit A. After the Notice becomes effective, PRT will provide common carrier rail service for customers located or to be located within the facility.

NOTICE

In accordance with 49 C.F.R. §1150.33, PRT hereby provides the following information:

- (a) The full name and address of Applicant: Pioneer Rail & Transload of El Reno, Oklahoma, a division of Pioneer Storage Company, LLC, 1200 N Grand Ave, El Reno, OK 73036
- (b) The name, address, and telephone number of the representative of PRT who should receive correspondence: Renner Jantz, Legal Counsel, Pioneer Rail & Transload of El Reno, OK, a Division of Pioneer Storage Company, LLC, 1200 N Grand Ave, El Reno, OK 73036; 405/326-6976. Michael Olender, Principal, Pioneer Rail & Transload of El Reno, OK, a Division of Pioneer Storage Company, LLC, 1200 N Grand Ave, El Reno, OK 73036; 727/366-6658.

(c) The facility is owned by Pioneer Rail & Transport of El Reno, Oklahoma, a Division of Pioneer Storage Company, LLC (“PRT”). PRT has formed a new division, PRT, to operate as a common carrier railroad on the property to perform rail service for PRT and other shippers that would locate at the facility. PRT will be entering into an operating agreement for the Rail Line and converting the Rail Line from private track to a common carrier line of railroad.¹

(d) Currently there are no common carrier operations on the track that will be the Rail Line; the track is operated as private track by the owner of the facility, Pioneer Rail & Transport of El Reno, Oklahoma, a Division of Pioneer Storage Company, LLC. Additional shippers are anticipated to locate to the facility. After the effective date of this Notice and the commencement of the operating agreement, PRT will operate the Rail Line as a common carrier freight operator.

(e) Brief Summary of the Proposed Transaction:

Currently, the owner of the facility operates the tracks as part of its industrial facility located in El Reno, OK. Incidental contract switching services are provided to other customers located at the facility. The owner of the facility anticipates that additional customers will be locating at the facility. PRT is a newly formed entity that will be entering into an operating agreement that will give it control of the Rail Line and other tracks within in the facility. PRT will operate the portion of the tracks designated as the Rail Line as shown on the map attached hereto as Exhibit A, as common carrier tracks, and the other tracks shown on the map as non-jurisdictional yard and industrial tracks. PRT will operate as a common carrier switching carrier. PRT anticipates entering into an interchange agreement with CSX.

The conversion of private track to common carrier line of railroad by PRT is consistent with Board precedent in cases such as Effingham Railroad Company – Petition for Declaratory Order - Construction at Effingham, IL, STB Finance Docket No. NOR 41986, 1997 WL 564155 (served Sept. 12, 1997).

¹ PRT will also be operating the other tracks at the facility as non-jurisdictional yard and industrial tracks, and may construct additional non-jurisdictional yard or industrial tracks at the facility.

- (1) The name and address of the non-carrier company that currently owns the Rail Line (as private track): PIONEER RAIL & TRANSLOAD OF EL RENO, OKLAHOMA, a Division of Pioneer Storage Company, LLC, 1200 N Grand Ave, El Reno, OK 73036.
- (2) PRT expects to commence operations on or after January 21, 2024, more than thirty days after the filing of this Notice of Exemption.
- (3) The Rail Line is located in El Reno, OK. There is a milepost located on the Rail Line described as 514.5, Oklahoma City, Oklahoma.
- (4) The total length to be acquired and operated as the Rail Line is 8530 feet.
- (f) Attached as Exhibit A to this Notice of Exemption is a map of the Rail Line highlighted in green. The map also shows associated 49 U.S.C. §10906 non- jurisdictional yard and industrial tracks that are located within the facility.
- (g) PRT certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier.³
- (h) No interchange commitments are being imposed on PRT's operations.

³ PRT additionally certifies that its projected revenues after the transaction will not exceed \$5,000,000 per year.

Labor Protection

Pursuant to 49 U.S.C. §10901(c), approval of this transaction may not be subjected to labor protections.

Environmental and Historic Reports

Pursuant to 49 C.F.R. §1105.6(c)(2)(i), no environmental documentation should be required because this proceeding involves operating authority under 49 U.S.C. §10901 for continued operations (albeit common carrier operations instead of private switching) that will not exceed the thresholds established in 49 C.F.R. §1105.7(e)(4) or (e)(5).

No historic report under 49 C.F.R. §1105.8(b)(1) should be required because this Notice of Exemption merely involves a notice of exemption for operating authority pursuant to which private industrial switching will be converted to common carrier operations, and Board approval will be required to discontinue or abandon any service. PRT has no plans to dispose of or alter properties subject to the Board's jurisdiction that are 50 years old or older.

Caption Summary

Attached hereto as Exhibit B is the caption summary required by 49 C.F.R. §1150.34.

Conclusion

Accordingly, PRT requests that the Board issue a notice allowing the common carrier operations of PRT to become effective at any time after 30 days from the filing of this Notice of Exemption.

Respectfully submitted,

DocuSigned by:



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Michael Olender

Principal

**Pioneer Rail & Transload of El Reno, Oklahoma, a Division of
Pioneer Storage Company, LLC**

Mailing:

1200 N Grand Ave

El Reno, OK 73036

Michael@PioneerRT.com

DocuSigned by:



04E79300DA12472...
Renner Jantz

Legal Counsel

**Pioneer Rail & Transload of El Reno, Oklahoma, a Division of
Pioneer Storage Company, LLC**

Mailing:

1200 N Grand Ave

El Reno, OK 73036

Info@PioneerRT.com

Dated: December 21, 2023

VERIFICATION

I, Michael Olender, Principal of Pioneer Rail & Transload of El Reno, Oklahoma, a Division of Pioneer Storage Company, LLC, 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 December 21, 2023
Michael Olender

DocuSigned by:


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Michael Olender, Principal

EXHIBIT A MAP



Pioneer Rail & Transload
1200 N Grand Ave. El Reno, OK 73036

Union Pacific Railroad Track ID 707,
Circ 7: HM403, Yard 1, Mile Post:514.5

Length of Rail: 8,530 feet; 4 switches

EXHIBIT B

CAPTION SUMMARY

**Before the
SURFACE TRANSPORTATION BOARD
STB Docket No. FD 36749**

**PIONEER RAIL & TRANSLOAD OF EL RENO, OKLAHOMA, a Division of Pioneer Storage Company,
LLC
- OPERATION EXEMPTION – LINE IN EL RENO, OKLAHOMA**

This Verified Notice is filed pursuant to 49 C.F.R. §1150.31 by PIONEER RAIL & TRANLOAD OF EL RENO, OKLAHOMA, a DIVISION OF PIONEER STORAGE COMPANY, LLC, (“PRT”) a non-carrier, to exempt from regulation under 49 U.S.C. §10901, its operation of 8,530 feet of existing railroad track inside an existing industrial facility (the “Rail Line”). After approval of the Notice, PRT will provide common carrier switching services for the owner of the facility as well as other customers located or to be located within the facility.

Comments must be filed with the Board and served on PRT’s representative, RENNER JANTZ OR MICHAEL OLENDER, PIONEER RAIL & TRANSLOAD OF EL RENO, OKLAHOMA, a DIVISION OF PIONEER STORAGE COMPANY, LLC, 1200 N GRAND AVE, EL RENO, OK 73036; 405/326-6976 and 727/366-6658.

The Notice is filed under 49 C.F.R. §1150.31. 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: December 21, 2023.

By the Board, Mai Dinh, Director, Office of Proceedings.