

FOUR PENN CENTER
SUITE 200
1600 JOHN F. KENNEDY BLVD.
PHILADELPHIA, PA 19103-2808
TELEPHONE 215.563.9400
FACSIMILE 215.665.9988
WWW.GGELAW.COM

ERIC M. HOCKY
DIRECT DIAL 215.320.3720
emhocky@ggelaw.com

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SEP 11 2003

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Record



September 9, 2003
VIA: UPS Overnight

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building, #711
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Notice of Allegheny & Eastern Railroad, Inc.
for Exemption of Abandonment from
Regulation Pursuant to 49 CFR §1152.50
Docket No. AB-854 (X)

FEE RECEIVED

SEP 11 2003

**SURFACE
TRANSPORTATION BOARD**

Dear Secretary Williams:

Enclosed please find for filing the original and ten (10) copies of the above-referenced Notice of Exemption of Allegheny & Eastern Railroad, Inc. A check in the amount of \$2,700 representing the filing fee is also enclosed.

Please time stamp the extra copy of this letter to indicate receipt, and return it to me in the stamped self-addressed envelope provided for your convenience.

Respectfully,


ERIC M. HOCKY

FILED

SEP 11 2003

**SURFACE
TRANSPORTATION BOARD**

Enclosures

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GOLLATZ, GRIFFIN & EWING, P.C.

WEST CHESTER

PHILADELPHIA

WILMINGTON

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Part of
Public Record

Before the

SURFACE TRANSPORTATION BOARD

NOTICE OF
ALLEGHENY & EASTERN RAILROAD, INC.
FOR EXEMPTION OF ABANDONMENT
FROM REGULATION PURSUANT TO
49 C.F.R. §1152.50

Elk and Cameron Counties, Pennsylvania

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SURFACE
TRANSPORTATION BOARD

Docket No. AB-854 (X)

FILED

SEP 11 2003

SURFACE
TRANSPORTATION BOARD

ERIC M. HOCKY
GOLLATZ, GRIFFIN & EWING, P.C.
Four Penn Center
Suite 200
1600 JFK Blvd.
Philadelphia, PA 19103
(215) 563-9400
Attorneys for Allegheny & Eastern Railroad, Inc.

Dated: September 9, 2003

FEE RECEIVED

SEP 11 2003

SURFACE Before the
TRANSPORTATION BOARD **SURFACE TRANSPORTATION BOARD**

**NOTICE OF
ALLEGHENY & EASTERN RAILROAD, INC.
FOR EXEMPTION OF ABANDONMENT
FROM REGULATION PURSUANT TO
49 C.F.R. §1152.50**

FILED
SEP 11 2003
SURFACE
TRANSPORTATION BOARD

Elk and Cameron Counties, Pennsylvania



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SEP 11 2003

**Part of
Public Record**

This Notice of Abandonment is given pursuant to the requirements of 49 C.F.R. §1152.50. In accordance with such requirements, Allegheny & Eastern Railroad, Inc. ("Applicant") hereby states as follows:

1. The exact name of Applicant is Allegheny & Eastern Railroad, Inc.
2. Applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, chapter 105.
3. The relief sought is the abandonment of a portion of Applicant's line of railroad which runs between a point north of St. Mary's in Elk County, Pennsylvania (milepost 131) and a point in the southeastern corner of Emporium in Cameron County, Pennsylvania (milepost 149.9).
4. A detailed map of the subject line showing the exact location of the rail line to be abandoned and its relation to other rail lines in the area, highways, water routes and population centers is attached hereto.

5. The representative of Applicant to whom correspondence should be sent is:

Eric M. Hocky, Esquire
GOLLATZ, GRIFFIN & EWING, P.C.
Four Penn Center
Suite 200
1600 JFK Blvd.
Philadelphia, PA 19103
(215) 563-9400

6. The line to be abandoned traverses United States Postal Service ZIP Codes 15857 and 15834.

7. The property proposed for abandonment is located in a rural area, and Applicant does not have fee title to all of the property. Thus, it may or may not be appropriate for other public purposes. Local municipalities have expressed interest in having the property rail banked.

8. Applicant proposes to consummate the abandonment on or after October 30, 2003.

9. Applicant certifies that:

(a) No local traffic has moved over the line for at least two years, and overhead traffic, if any, could be rerouted over other lines.

(b) No formal complaint by a user of rail service on the line, or a state or local government entity acting on behalf of such user, regarding cessation of service over the line either is pending with the Board or any U.S. District Court or has been decided in favor of the complainant within the two year period.

10. Although no employees of Applicant will be affected by the abandonment, Applicant recognizes that this abandonment will be made subject to the employee protective conditions in Oregon Short Line Railroad Co.--Abandonment--Goshen, 360 I.C.C. 91 (1979).

11. An environmental/historic report in accordance with the requirements of 49 C.F.R. §§1105.7 and 1105.8 was filed with the Board on August 11, 2003. As noted in the report, Applicant has complied with the notice requirements of 49 C.F.R. §1105.11.

12. Applicant has complied with the notice requirements of 49 C.F.R. §1152.50(d)(1). Copies of the form of notice mailed, and the addressees to whom they were mailed, are attached hereto as Exhibit B.

Respectfully submitted,



ERIC M. HOCKY
GOLLATZ, GRIFFIN & EWING, P.C.
Four Penn Center
Suite 200
1600 JFK Blvd.
Philadelphia, PA 19103
(215) 563-9400
Attorneys for Allegheny & Eastern Railroad, Inc.

DATED: September 9, 2003

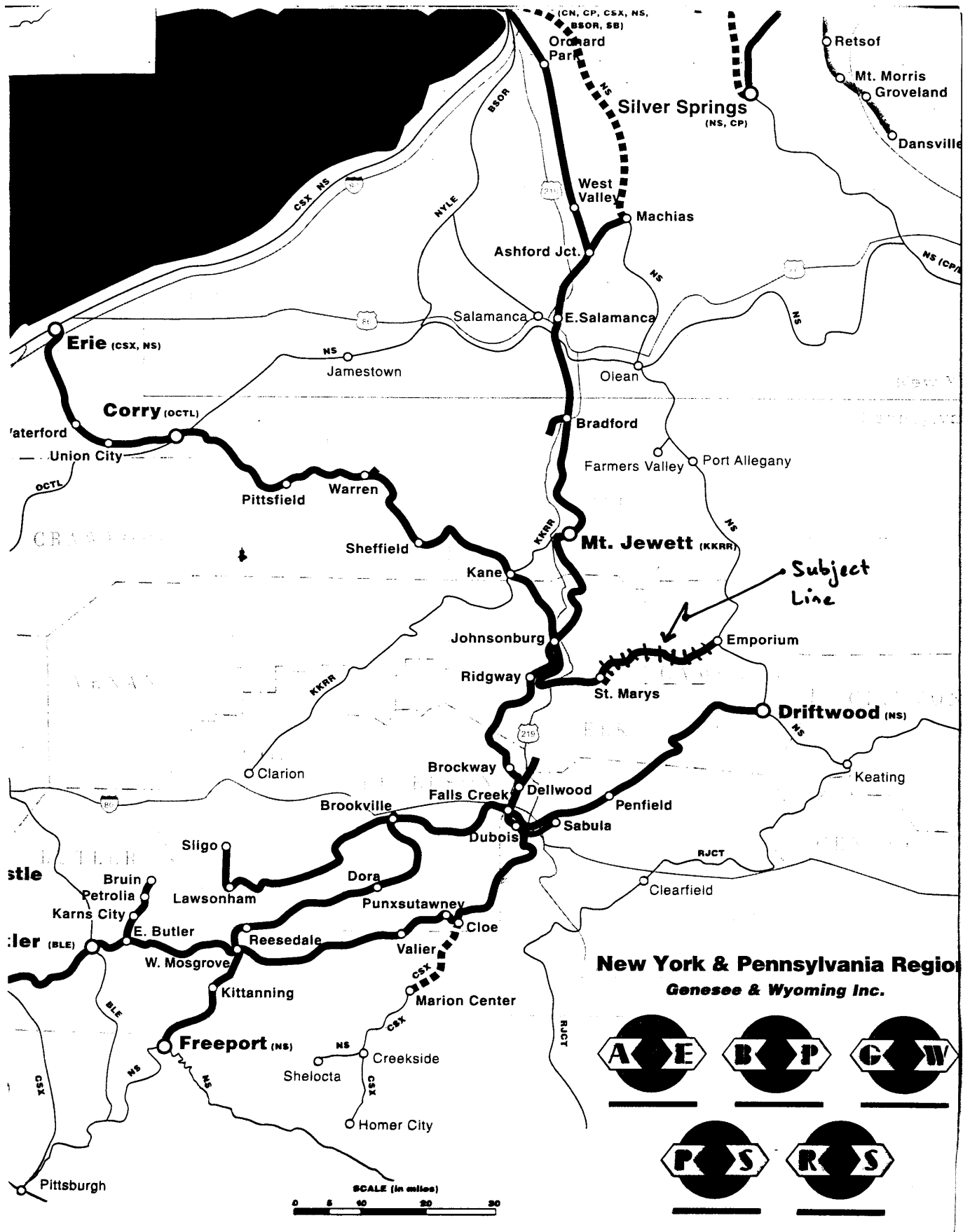
VERIFICATION

I hereby verify on behalf of Allegheny & Eastern Railroad, Inc., under penalty of perjury, that the foregoing is true and correct. Further, I certify that I am qualified and authorized to file this Verification.

Executed on SEPTEMBER 9, 2023.


Name: DAVID COLLINS
Title: President

MAP



10 DAY NOTICES

SAMPLE

213 WEST MINER STREET
PO Box 796
WEST CHESTER, PA 19381
TELEPHONE 610.692.9116
FACSIMILE 610.692.9177
WWW.GGELAW.COM

GG&E GOLLATZ
GRIFFIN
& EWING
ATTORNEYS - AT - LAW

LEANORE D. BELLIS
DIRECT DIAL 610.350.4132
lbellis@ggelaw.com

August 12, 2003
VIA: FIRST CLASS MAIL

Office of Chief of Forest Service
U.S. Department of Agriculture
Auditor's Building
201 14th Street S.W. and Independence Ave., S.W.
Washington, DC 20250

RE: Notice of Exemption/Abandonment
Docket No. 854 (X)

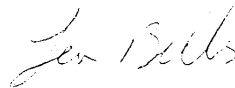
Dear Sir or Madam:

This letter is to advise you that Allegheny & Eastern Railroad, Inc. ("ALY") will be filing a verified notice of abandonment pursuant to the provisions of 49 C.F.R. §1152.50 with the Surface Transportation Board on or about September 8, 2003 relating to the abandonment of its line of railroad which runs between a point north of St. Mary's in Elk County, Pennsylvania (milepost 131) and a point in the southeastern corner of Emporium in Cameron County, Pennsylvania (milepost 149.9). This line traverses through United States Postal ZIP Codes 15857 and 15834.

Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Enclosed is a copy of the Environmental/Historic Report relating to the proposed abandonment that has been filed with the Surface Transportation Board.

Very truly yours,



Leanne D. Bellis

Enclosure
cc: Eric M. Hocky, Esquire

GOLLATZ, GRIFFIN & EWING, P.C.

WASHINGTON, D.C.

PHILADELPHIA, PA

WASHINGTON, D.C.

10 Day Notice

Governor Edward G. Rendell's Office
225 Main Capitol Building
Harrisburg, Pennsylvania 17120

Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Pennsylvania Department of Transportation
400 North Street
8th Floor
Harrisburg, PA 17120

Federal Railroad Administration
1120 Vermont Avenue, NW
Washington, DC 20590

United States Department of Defense
Transportation Engineering Agency/
Military Traffic Management Command
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-2574

Regional Director
National Park Service
U.S. Custom House
200 Chestnut St., Fifth Floor
Philadelphia, PA 19106

National Park Service
National Center For Recreation
and Conservation
M.S. 3622
1849 C Street, NW
Washington, DC 20240-0001

National Park Services
Land Resources Division
M.S. 3622
1849 C Street, NW
Washington, DC 20240-0001

U. S. Railroad Retirement Board
Pittsburgh District Office
Moorhead Federal Building, Room 1534
1000 Liberty Avenue
Pittsburgh, PA 15222-4101

Office of Chief of Forest Service
U.S. Department of Agriculture
Auditor's Building
201 14th Street S.W. and Independence Ave., S.W.
Washington, DC 20250

CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing Notice of Abandonment was served on the persons shown on the attached list by first class mail, postage prepaid.



ERIC M. HOCKY

Dated: September 9, 2003

Service List for Docket No. AB 854 (X)

PA Department of Transportation
400 North Street
8th Floor
Harrisburg, PA 17120

Pennsylvania State Conservation Commission
Agriculture Building, Room 407
2301 North Cameron Street
Harrisburg, Pennsylvania 17110

PA Dept. of Environmental Protection
Northwest Regional Office
230 Chestnut Street
Meadville, PA 19335

PA Dept. of Environmental Protection
Northcentral Regional Office
208 W. Third Street
Suite 101
Williamsport, PA 17701-6448

Office For River Basin Cooperation
Coastal Zone Management Program
Pennsylvania Department of
Environmental Protection
P.O. Box 2063
400 Market Street, 15th Floor
Harrisburg, PA 17105-2063

Commissioner
Elk County
Court House Annex Building
300 Center Street
P.O. Box 448
Ridgway, PA 15853

Board of Commissioners Chair
Cameron County
20 East 5th Street
County Courthouse
Emporium, PA 15834-1469

Region 3

Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

US Fish and Wildlife Service
Regional Office - PA
300 Westgate Center Drive
Hadley, MA 01035-9589

Albert H. Rogalla
Chief, Regulatory Branch
Dept. of the Army, Pittsburgh District,
Corps of Engineers
2032 William S. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Northeast Region
Regional Director
National Park Service
U.S. Custom House
200 Chestnut St., Fifth Floor
Philadelphia, PA 19106

National Park Service
National Center For Recreation
and Conservation
M.S. 3622
1849 C Street, NW
Washington, DC 20240-0001

National Park Services
Land Resources Division
M.S. 3622
1849 C Street, NW
Washington, DC 20240-0001

USDA Natural Resources Conservation Service
One Credit Union Place, Suite 340
Harrisburg, PA 17110-2993

PA Department of Conservation
and Natural Resources Executive Office
7th Floor
Rachel Carson State Office Building
P.O. Box 8767
Harrisburg, PA 17105-8767

Mr. Richard A. Snay
Chief, Spatial Reference System Div.
United States Dept. of Commerce
NOAA, N/NGS2
Station 8813
1315 East-West Highway
Silver Spring, MD 20910-3282

Cameron Conservation District 20
East Fifth St.
Room 105
Emporium, PA 15834

Elk County Conservation District
P.O. Box 448
Courthouse
Ridgway, PA 15853-0448

David Densmore
Supervisor
Fish and Wildlife Service
Pennsylvania Field Office
315 South Allen Street
Suite 322
State College, PA 16801-4805

Vicki Petrazio
Borough Manager
Borough of Emporium
421 N. Broad Street
Emporium, PA 15834

Pennsylvania Game Commission
Bureau of Law Enforcement
North Central Regional Office
1566 South Route 44 Highway
Post Office Box 5038
Jersey Shore, PA 17740-5038

Pennsylvania Fish and Boat Commission
Northcentral Region
466 Robinson Lane
PO Box 5306
Bellefonte, PA 16823

Jean J. Cutler
Director
Pennsylvania Historical and Museum Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Governor Edward G. Rendell's Office
225 Main Capitol Building
Harrisburg, Pennsylvania 17120

Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Pennsylvania Department of Transportation
400 North Street
8th Floor
Harrisburg, PA 17120

Federal Railroad Administration
1120 Vermont Avenue, NW
Washington, DC 20590

United States Department of Defense
Transportation Engineering Agency/
Military Traffic Management Command
720 Thimble Shoals Blvd., Ste. 130
Newport News, VA 23606-2574

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1849 C Street, NW
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U. S. Railroad Retirement Board
Pittsburgh District Office
Moorhead Federal Building, Room 1534
1000 Liberty Avenue
Pittsburgh, PA 15222-4101

Office of Chief of Forest Service
U.S. Department of Agriculture
Auditor's Building
201 14th Street S.W. and Independence Ave., S.W.
Washington, DC 20250