

SERVICE DATE - AUGUST 11, 1997

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB-389 (Sub-No. 1X)

GEORGIA GREAT SOUTHERN DIVISION, SOUTH CAROLINA CENTRAL
RAILROAD CO., INC.--ABANDONMENT AND DISCONTINUANCE
EXEMPTION--BETWEEN ALBANY AND DAWSON, IN TERRELL,
LEE AND DOUGHERTY COUNTIES, GA

Decided: August 7, 1997

On October 18, 1996, a decision and notice of interim trail use or abandonment (NITU) was served, authorizing a 180-day period for Rails to Trails Conservancy (RTC) to negotiate an interim trail use/rail banking agreement with the Georgia Great Southern Division, South Carolina Central Railroad Co., Inc. (GGS), for a portion of the line between milepost 86.5, at Albany, and milepost 72.88, at Sasser. The initial 180-day negotiating period expired on February 12, 1997, but was extended through August 11, 1997, by decision served February 28, 1997.

On August 4, 1997, RTC, with the consent of GGS, filed a motion for an extension of the negotiation period until November 30, 1997. RTC states that it has been actively negotiating with GGS and is close to reaching an interim trail use/rail banking agreement, but has not yet solved several issues relating to such an agreement.

Because GGS consents to the request for extension of the negotiation period, an extension will be granted until November 30, 1997, as requested. This extension of time will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d) (Trails Act).¹ The purpose of the Trails Act is to preserve rail corridors for possible reactivation of rail service by permitting and encouraging their interim use as recreational trails. *See Policy Statement on Rails to Trails Conversions*, Ex Parte No. 274 (Sub-No. 13B) (ICC served Feb. 5, 1990).

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The negotiating period under the NITU is extended to November 30, 1997.
2. This decision is effective on the service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary

¹ Where, as here, the carrier seeks a continuation of the negotiation period and has not abandoned the line at the end of the previously imposed negotiation period, the Board's regulatory jurisdiction is not terminated and the negotiation period may be extended. *See Missouri. Pac. R. Co.--Aband.--in OK*, Docket No. AB-3 (Sub-No. 63) (ICC served Jan. 2, 1990).