

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. FD 36149

NEW ORLEANS PUBLIC BELT RAILROAD CORPORATION—ACQUISITION &
OPERATION EXEMPTION—PUBLIC BELT RAILROAD COMMISSION OF THE CITY OF
NEW ORLEANS

Decided: December 11, 2017

On November 22, 2017, New Orleans Public Belt Railroad Corporation (NOPB Corp.), a noncarrier, filed a verified notice of exemption under 49 C.F.R. § 1150.31 to acquire from the Public Belt Railroad Commission of the City of New Orleans (Public Belt) and operate approximately 26.7 miles of rail line and approximately 10.25 miles of assigned trackage rights pursuant to a Cooperative Endeavor Agreement to be entered into by NOPB Corp., Public Belt, the City of New Orleans, and the Board of Commissioners of the Port of New Orleans (the Port).

NOPB Corp. lists nine line segments that it would acquire as main line or over which it would acquire assigned trackage rights. Pursuant to 49 C.F.R. § 1150.33(f), NOPB Corp. attached to its notice a map showing various lines, including origins, termini, stations, and cities.

In order to ensure an accurate record, the Board seeks some clarification regarding the description of the line segments, particularly those involving trackage rights. For example, in Segment #1, NOPB Corp. indicates that it is acquiring 8.3 miles of “main line from the connection with BNSF Railway Company . . . and Union Pacific Railway Company . . . at Milepost J8.3 at West Bridge Junction in Avondale, Louisiana to Milepost J0.0 near Lampert Junction at the Jefferson/Orleans Parish border.” (NOPB Corp. Notice 3.) However, NOPB Corp. states regarding Segment #6 that the “easternmost approximately one mile of these trackage rights, from Southport Junction to Lampert Junction, is a constituent part of Public Belt’s line of railroad described in Segment #1 above.” (*Id.* at 4 n.2.) Those descriptions could be read to mean that NOPB Corp. will acquire trackage rights over line it will acquire outright. The same issue arises regarding Segment #2 (describing main line) and Segment #7 (describing trackage rights apparently over the main line). (*Id.* at 4 n.3.) Therefore, NOPB will be directed to clarify those line segments for which it is acquiring ownership and those for which it is acquiring assigned trackage rights, and particularly the interrelationship between them.

Clarification is also needed with respect to the map provided by NOPB Corp., which does not appear to include information sufficient to determine the trackage rights described in Segments #6 through #9. The Board will direct NOPB Corp. to provide a map that more fully

details the relevant line segments and includes all points referenced in the line segment descriptions.

NOPB Corp. will be directed to provide this supplemental information by December 21, 2017. In the meantime, this proceeding will be held in abeyance pending further Board order.

It is ordered:

1. This proceeding is held in abeyance until further Board order.
2. NOPB Corp. is directed to file the supplemental information identified in this decision by December 21, 2017.
3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.