

Kirkpatrick & Lockhart LLP

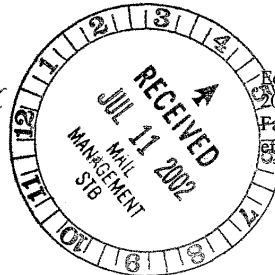
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1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

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415

July 11, 2002

DID # 010198900f



Edward J. Fishman
202.778.9456
Fax: 202.778.9100
efishman@kl.com

VIA HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

**Re: Finance Docket No. 34226, R.J. Corman Equipment Company, LLC --
Acquisition Exemption – Line of CSX Transportation, Inc.**

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption of R.J. Corman Equipment Company, LLC** dated July 11, 2002. The filing fee of \$1300 also is enclosed.

Should any questions arise regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,

Edward J. Fishman
Counsel for R.J. Corman Equipment Company, LLC

ENTERED
Office of Proceedings

JUL 12 2002

Enclosures

Part of
Public Record

FEE RECEIVED

JUL 11 2002

SURFACE
TRANSPORTATION BOARD

FILED

JUL 11 2002

SURFACE
TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34226

R.J. CORMAN EQUIPMENT COMPANY, LLC
-- ACQUISITION EXEMPTION --
LINE OF CSX TRANSPORTATION, INC.



VERIFIED NOTICE OF EXEMPTION
OF
R.J. CORMAN EQUIPMENT COMPANY, LLC
PURSUANT TO 49 C.F.R. §1150.41

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SURFACE
TRANSPORTATION BOARD

Kevin M. Sheys
Edward J. Fishman
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue – 2nd Floor
Washington, DC 20036
(202) 778-9000

ATTORNEYS FOR R.J. CORMAN
EQUIPMENT COMPANY, LLC

Dated: July 11, 2002

BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34226

R.J. CORMAN EQUIPMENT COMPANY, LLC
-- ACQUISITION EXEMPTION --
LINE OF CSX TRANSPORTATION, INC.



**VERIFIED NOTICE OF EXEMPTION
OF
R.J. CORMAN EQUIPMENT COMPANY, LLC
PURSUANT TO 49 C.F.R. § 1150.41**

Pursuant to 49 C.F.R. § 1150.41 et seq., R.J. Corman Equipment Company, LLC ("RJCE"), a Class III rail carrier, hereby files this Verified Notice of Exemption to acquire a rail line known as the Wooster Industrial Track from CSX Transportation, Inc. ("CSXT") located between approximately Milepost 16.81 and approximately Milepost 18.97 near Wooster in Wayne County, Ohio (the "Subject Line"). The total distance of the Subject Line is approximately 2.16 route miles. Based on projected revenues for the Subject Line, RJCE expects to remain a Class III rail carrier after consummation of the transaction proposed herein.

This Notice is related to Finance Docket No. 34227, R.J. Corman Railroad Company/Cleveland Line – Lease and Operation Exemption--Line of R.J. Corman Equipment Company, LLC, in which R.J. Corman Railroad Company/Cleveland Line is filing a Verified Notice of Exemption pursuant to 49 C.F.R. § 1150.41 to lease from RJCE and operate the Subject Line.

In accordance with the requirements of 49 C.F.R. § 1150.43, RJCE submits the following information:

Advance Notice:

49 C.F.R. § 1150.42(e)

The projected annual revenue from the Subject Line, together with RJCE's projected annual revenue, will not exceed \$5 million. Accordingly, the requirements of 49 C.F.R. § 1150.42(e) do not apply to this transaction.

Name and Address of Applicant:

49 C.F.R. § 1150.43(a)

The full name and address of the Class III rail carrier applicant herein is as follows:

R.J. Corman Equipment Company, LLC
One Jay Station, P.O. Box 788
Nicholasville, KY 40356

Applicant's Representative:

49 C.F.R. § 1150.43(b)

RJCE's representative to whom correspondence regarding this transaction should be addressed is as follows:

Kevin M. Sheys
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue – 2nd Floor
Washington, DC 20036
(202) 778-9000

Statement Concerning Agreement:

49 C.F.R. § 1150.43(c)

RJCE has entered into an agreement with CSXT providing for RJCE's acquisition of the Subject Line.

Operation of the Property:

49 C.F.R. § 1150.43(d)

R.J. Corman Equipment Company/Cleveland Line, an existing Class III rail carrier, will lease and operate the Subject Line pursuant to a separate notice of exemption being filed concurrently herewith.

Summary of the Transaction:

49 C.F.R. § 1150.43(e)

Pursuant to an agreement entered into between RJCE and CSXT, RJCE will acquire the rail line known as the Wooster Industrial Track located between approximately Milepost 16.81 and approximately Milepost 18.97 near Wooster in Wayne County, Ohio (the "Subject Line"). The total distance of the Subject Line is approximately 2.16 route miles. The parties intend to

consummate this transaction on or soon after the date this Notice of Exemption, and the related notice of exemption referenced herein, become effective.

The name and address of the owner of the Subject Line is as follows:

CSX Transportation, Inc.
500 Water Street
Jacksonville, FL 32202

Map: **49 C.F.R. § 1150.43(f)**

A map indicating the area served by the Subject Line, including origins, termini, stations, cities and counties, is attached as Exhibit A to this Notice.

Certification of Class III Status: **49 C.F.R. § 1150.43(g)**

A certificate complying with the provisions of 49 C.F.R. § 1150.43(g) is attached as Exhibit B to the Notice. Based on projected revenues for the Subject Line, RJCE will remain a Class III rail carrier after consummation of the transaction proposed herein.

Environmental/Historic Preservation Data: **49 C.F.R. Part 1105**

Under 49 C.F.R. § 1105.6(c)(2)(i), the proposed acquisition of the Subject Line by RJCE is exempt from environmental reporting requirements because it will not result in significant changes in carrier operations (i.e. changes which exceed the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5)).

Under 49 C.F.R. § 1105.8(b)(3), the proposed acquisition of the Subject Line by RJCE also is exempt from historic preservation reporting requirements. RJCE's acquisition of the Subject Line is for the purpose of continued rail operations. Further Surface Transportation Board approval is required to abandon any service, and there are no plans to dispose of or alter properties subject to Board jurisdiction that are fifty years old or older.

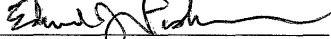
Caption Summary:

49 C.F.R. § 1150.44

A caption summary in the appropriate form is attached as Exhibit C to the Notice.

Respectfully submitted,

By:



Kevin M. Sheys

Edward J. Fishman

Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue – 2nd Floor

Washington, DC 20036

(202) 778-9000

Dated: July 11, 2002

**ATTORNEYS FOR R.J. CORMAN
EQUIPMENT COMPANY, LLC**

EXHIBIT A

BEGIN SALE

VAL. STA. 893+00
 MP. DXH 18.81
 VAL. MAP V116.2/17
 GIS *11059

— PROPOSED SALE AREA

2.16 MILES 21.54 ACRES +/-

CSX REAL PROPERTY

EXHIBIT "A"

City Wooster
 County: Wayne
 State Ohio
 Zip 43086
 Pins 0016, 0025, 0037
 0038, 0056, 0057
 Site ID OH 109-0995600

Drawing No.: R02510
 VAL: V116.2/17-20
 GIS: 11059-11082
 Date: 03/22/02
 Drawn By: REH

EXCLUDED PARCEL
 (EXHIBIT D-1)

EXCLUDED PARCEL
 (EXHIBIT D-2)

END SALE

VAL. STA. 1007+50
 MP. BXH 18.97
 VAL. MAP V116.2/20
 GIS *11082

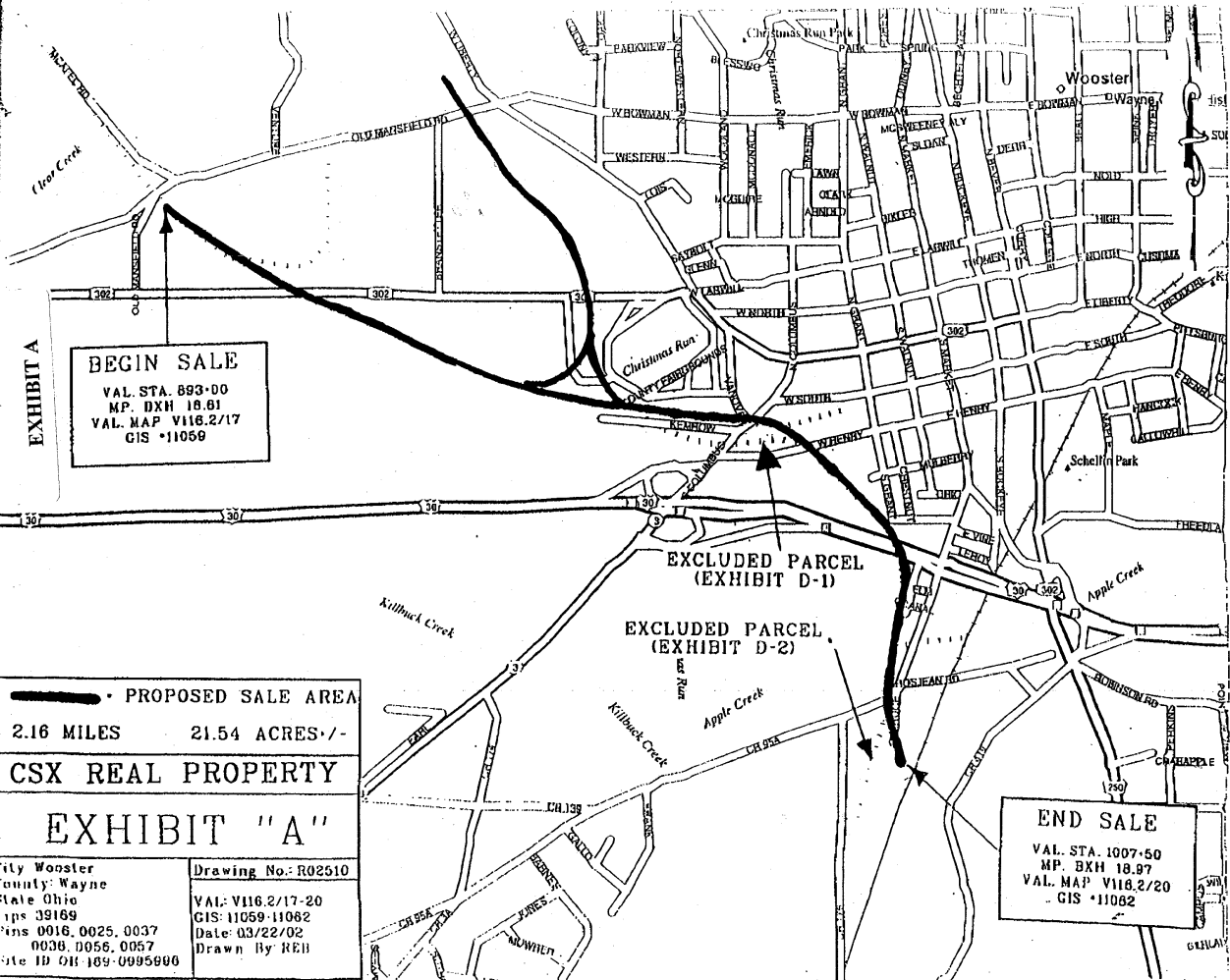
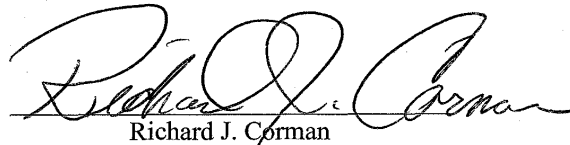


EXHIBIT B

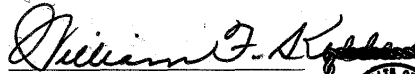
CERTIFICATION

Richard J. Corman, being duly sworn, certifies that the projected revenues of R.J. Corman Equipment Company, LLC upon consummation of the proposed transaction will not result in the creation of a Class I or Class II rail carrier under the provisions of 49 C.F.R. § 1201 (1-1).

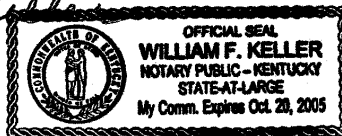

Richard J. Corman

SUBSCRIBED AND SWORN TO

before me this 30 day
of June, 2002



Notary Public



My Commission expires: Oct. 20, 2005

EXHIBIT C

SURFACE TRANSPORTATION BOARD

NOTICE OF EXEMPTION

FINANCE DOCKET NO. 34226

R.J. CORMAN EQUIPMENT COMPANY, LLC
--ACQUISITION EXEMPTION --
LINE OF CSX TRANSPORTATION, INC.

R.J. Corman Equipment Company, LLC ("RJCE"), a Class III rail carrier, has filed a Verified Notice of Exemption to acquire a rail line known as the Wooster Industrial Track from CSX Transportation, Inc. ("CSXT") located between approximately Milepost 16.81 and approximately Milepost 18.97 near Wooster in Wayne County, Ohio (the "Subject Line"). The total distance of the Subject Line is approximately 2.16 route miles

The Notice of Exemption is related to Finance Docket No. 34227, R.J. Corman Railroad Company/Cleveland Line – Lease and Operation Exemption – Line of R.J. Corman Equipment Company, LLC, in which R.J. Corman Railroad Company/Cleveland Line is filing a notice of exemption pursuant to 49 C.F.R. § 1150.41 to lease from RJCE and operate the Subject Line.

Comments must be filed with the Board and served on Kevin M. Sheys, Kirkpatrick & Lockhart LLP, 1800 Massachusetts Avenue, N.W., 2nd floor, Washington, DC 20036; (202) 778-9000.

This notice is filed under 49 C.F.R. § 1150.41. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. § 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Date: _____, 2002

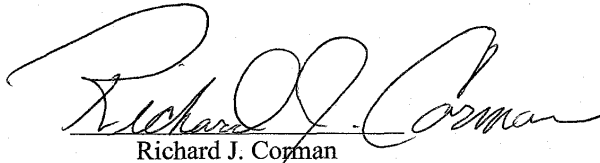
By the Board

Vernon A. Williams - Secretary

VERIFICATION

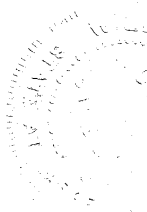
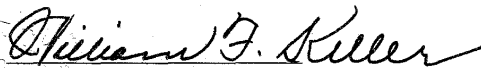
State of Kentucky)
) ss:
County of Jessamine)

Richard J. Corman, being duly sworn, deposes and says that he is duly authorized to file this verification on behalf of R.J. Corman Equipment Company, LLC, that he has read the foregoing Notice of Exemption and knows the facts asserted therein, and that the same are true as stated.


Richard J. Corman

SUBSCRIBED AND SWORN TO

before me this 30 day
of June, 2002

Notary Public

My Commission expires:

