

point of connection with the Central Railroad Company of Indiana's (CIND) Westport Industrial Track near CIND milepost 225.0) to milepost 64.80, also at Craig (near the intersection of N County Road 250 W and West Base Road).

According to the verified notice of exemption, PLRI is a subsidiary of Lowe's Pellets & Grain, Inc. (Lowe's). PLRI states that CIND had operated over the Line to provide direct rail service to Lowe's for several years but recently declined to provide service, advising Lowe's that it appeared that the Line was owned by Conrail, not CIND. Lowe's created PLRI to purchase the Line from Conrail, which confirmed its ownership of the Line. PLRI states that, although it may elect to provide common carrier service itself should the need arise, it contemplates reaching an accord with CIND under which CIND would resume switching operations over the Line.

PLRI certifies that its projected annual revenues are not expected to exceed \$5 million, and will not exceed those that would qualify it as a Class III rail carrier. PLRI further certifies that the proposed transaction does not involve any provision or agreement that would limit future interchange with a third-party connecting carrier.

The transaction may be consummated on or after January 19, 2020, the effective date of the exemption (30 days after the verified notice was filed).

If the verified 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 effectiveness of the exemption. Petitions to stay must be filed no later than January 10, 2020 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36366, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on PLRI's representative, Robert A. Wimbish, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to PLRI, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

Board decisions and notices are available at www.stb.gov.

Decided: December 27, 2019.

By the Board, Allison C. Davis, Director,
Office of Proceedings.

Eden Besera,
Clearance Clerk.

[FR Doc. 2019-28392 Filed 1-2-20; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. FD 36377]

BNSF Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

BNSF Railway Company (BNSF), a Class I rail carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(7) for its acquisition of restricted, local, temporary trackage rights over two rail lines owned by Union Pacific Railroad Company (UP) between: (1) UP milepost 93.2 at Stockton, Cal., on UP's Oakland Subdivision, and UP milepost 219.4 at Elsey, Cal., on UP's Canyon Subdivision, a distance of 126.2 miles; and (2) UP milepost 219.4 at Elsey and UP milepost 280.7 at Keddie, Cal., on UP's Canyon Subdivision, a distance of 61.3 miles (collectively, the Lines).

Pursuant to a written temporary trackage rights agreement, UP has agreed to grant restricted trackage rights to BNSF over the Lines. The purpose of this transaction is to permit BNSF to move empty and loaded unit ballast trains to and from the ballast pit at Elsey, which is adjacent to the Lines. The agreement provides that the trackage rights are temporary in nature and are scheduled to expire on December 31, 2020.¹

The transaction may be consummated on or after January 19, 2020, the effective date of the exemption (30 days after the verified notice was filed).

As a condition to this exemption, any employees affected by the acquisition of the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

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)

¹ BNSF states that, because the trackage rights are for local rather than overhead traffic, it is not filing under the Board's class exemption for temporary overhead trackage rights under 49 CFR 1180.2(d)(8). Instead, BNSF has filed under the trackage rights class exemption at section summary 1180.2(d)(7). BNSF states that it will file a petition for partial revocation of this exemption to permit these proposed trackage rights to expire at midnight on December 31, 2020, as provided in the agreement.

may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than January 10, 2020 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36377, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on BNSF's representative, Peter W. Denton, Steptoe & Johnson LLP, 1330 Connecticut Avenue NW, Washington, DC 20036.

According to BNSF, this action is categorically excluded from environmental review under 49 CFR 1105.6(c)(3) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(3).

Board decisions and notices are available at www.stb.gov.

Decided: December 27, 2019.

By the Board, Allison C. Davis, Director,
Office of Proceedings.

Eden Besera,
Clearance Clerk.

[FR Doc. 2019-28396 Filed 1-2-20; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. MCF 21089]

Winthrop Sargent, John Cogliano, and Paul Fuerst—Acquisition of Control—Plymouth and Brockton Street Railway Company, Brush Hill Transportation Company, and McGinn Bus Company, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice tentatively approving and authorizing finance transaction.

SUMMARY: On December 6, 2019, Winthrop Sargent (Sargent), John Cogliano (Cogliano), and Paul Fuerst (Fuerst) (collectively, Applicants), all noncarriers, filed an application for authority after-the-fact to acquire control of Plymouth and Brockton Street Railway Company (P&B), Brush Hill Transportation Company (Brush Hill), and McGinn Bus Company, Inc. (McGinn), from George S. Anzuoni and Richard W. Anzuoni (collectively, Sellers). The Board is tentatively approving and granting after-the-fact authorization of the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action. Persons wishing to oppose the application must follow Board regulations.