

# Greenville & Western Railway Company, LLC

Post Office Box 16614, Greenville, South Carolina 29606 - 7614

September 20, 2006

Mr. Vernon A. Williams,  
Secretary  
Surface Transportation Board  
1925 K Street, NW, Suite 700  
Washington, DC 20423-0001

217578



ENTERED  
Office of Proceedings

SEP 20 2006

Part of  
Public Record

Re: STB Finance Docket No. 34926  
Greenville & Western Railway Company, LLC  
Acquisition and Operation Exemption  
Line of CSX Transportation, Inc.

Secretary Williams:

Please find enclosed for filing in STB Finance Docket No. 34926, *Greenville & Western Railway Company, LLC -- Acquisition and Operation Exemption -- Line of CSX Transportation, Inc.*, one original and ten copies of Greenville & Western Railway Company, LLC's Acquisition and Operation Exemption. You should also find (attached to the original document) a check in the amount of \$1,500 as payment of the required filing fee.

Should you have any questions or concerns regarding this filing, please do not hesitate to contact me.

Thank you for your time and consideration.

Sincerest regards,

Steven C. Hawkins,  
President

Enclosures

FEE RECEIVED

SEP 20 2006

SURFACE  
TRANSPORTATION BOARD

FILED

SEP 20 2006

SURFACE  
TRANSPORTATION BOARD

ORIGINAL

**BEFORE THE SURFACE TRANSPORTATION BOARD**

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**FINANCE DOCKET NO. 34926**

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**GREENVILLE & WESTERN RAILWAY COMPANY, LLC  
-- ACQUISITION AND OPERATION EXEMPTION --  
LINE OF CSX TRANSPORTATION, INC.**

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**VERIFIED NOTICE OF EXEMPTION**

**PURSUANT TO 49 USC 10901 AND 49 CFR 1150.31**

**FILED**  
SEP 20 2006  
SURFACE  
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Steven C. Hawkins,  
President  
Greenville & Western Railway Company, LLC  
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Fax 864 • 895 • 3769

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**GREENVILLE & WESTERN RAILWAY COMPANY, LLC  
-- ACQUISITION AND OPERATION EXEMPTION --  
LINE OF CSX TRANSPORTATION, INC.**

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**VERIFIED NOTICE OF EXEMPTION**

**PURSUANT TO 49 USC 10901 AND 49 CFR 1150.31**

Pursuant to 49 USC 10901 and 49 CFR 1150.31, Greenville & Western Railway Company, LLC ("GRLW"), a non-carrier, does hereby file this Verified Notice of Exemption to acquire and operate a total of 12.74 miles of rail line, currently owned and operated by CSX Transportation, Inc. ("CSXT"), extending from MP AKL 26.26, near Belton, to MP AKL 39.00, near Pelzer, in Anderson County, SC ("Subject Line").

**Name and Address of Applicant:**

**49 CFR 1150.33(a)**

Greenville & Western Railway Company, LLC  
Post Office Box 16614  
Greenville, SC 29606-7614

**Applicant's Representative:**

**49 CFR 1150.33(b)**

Steven C. Hawkins,  
President  
Greenville & Western Railway Company, LLC  
Post Office Box 16614  
Greenville, SC 29606-7614  
864 • 895 • 3757

**Statement Concerning Agreement:**

**49 CFR 1150.33(c)**

GRLW and CSXT are negotiating the necessary agreements for GRLW's acquisition and operation of the Subject Line. The parties intend to have the agreements completed prior to the projected October 20, 2006 closing date.

**Operator of the Property:**

**49 CFR 1150.33(d)**

Greenville & Western Railway Company, LLC  
Post Office Box 16614  
Greenville, SC 29606-7614

**Summary of the Transaction:**

**49 CFR 1150.33(e)**

GRLW proposes to acquire the Subject Line from CSXT (500 Water Street, Jacksonville, FL 32202-4423), and provide common carrier service over the Subject Line. It is GRLW and CSXT's mutual intention to 1) close the sale on Friday, October 20, 2006, more than seven days from the date of this filing, and 2) for GRLW to commence operations over the Subject Line effective 12:01 a.m., Saturday, October 21, 2006, in order to provide uninterrupted service.

GRLW will acquire the 12.74-mile rail line between MP AKL 26.26, near Belton, and MP AKL 39.00, near Pelzer, in Anderson County, SC.

**Map:**

**49 CFR 1150.33(f)**

See Exhibit A.

**Certification of Projected Revenues:**

**49 CFR 1150.33(g)**

See Exhibit B.

**Caption Summary:**

**49 CFR 1150.34**

See Exhibit C.

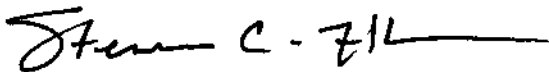
**Environmental and Historical Preservation Data:**

**49 CFR 1105**

Under 49 CFR 1105.6(c)(2)(i), the proposed acquisition and operation of the Subject Line by GRLW 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 CFR 1105.7(e)(4) or (5)).

Additionally, under 49 CFR 1105.8(b)(1), the proposed acquisition and operation of the Subject Line by GRLW is exempt from historic preservation reporting requirements. The purpose of the proposed transaction is for the continuance of rail operations. Further STB approval would be required to abandon any service, and there are no plans to dispose of or alter any properties subject to STB jurisdiction that are 50 years old or older.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven C. Hawkins", followed by a long horizontal line extending to the right.

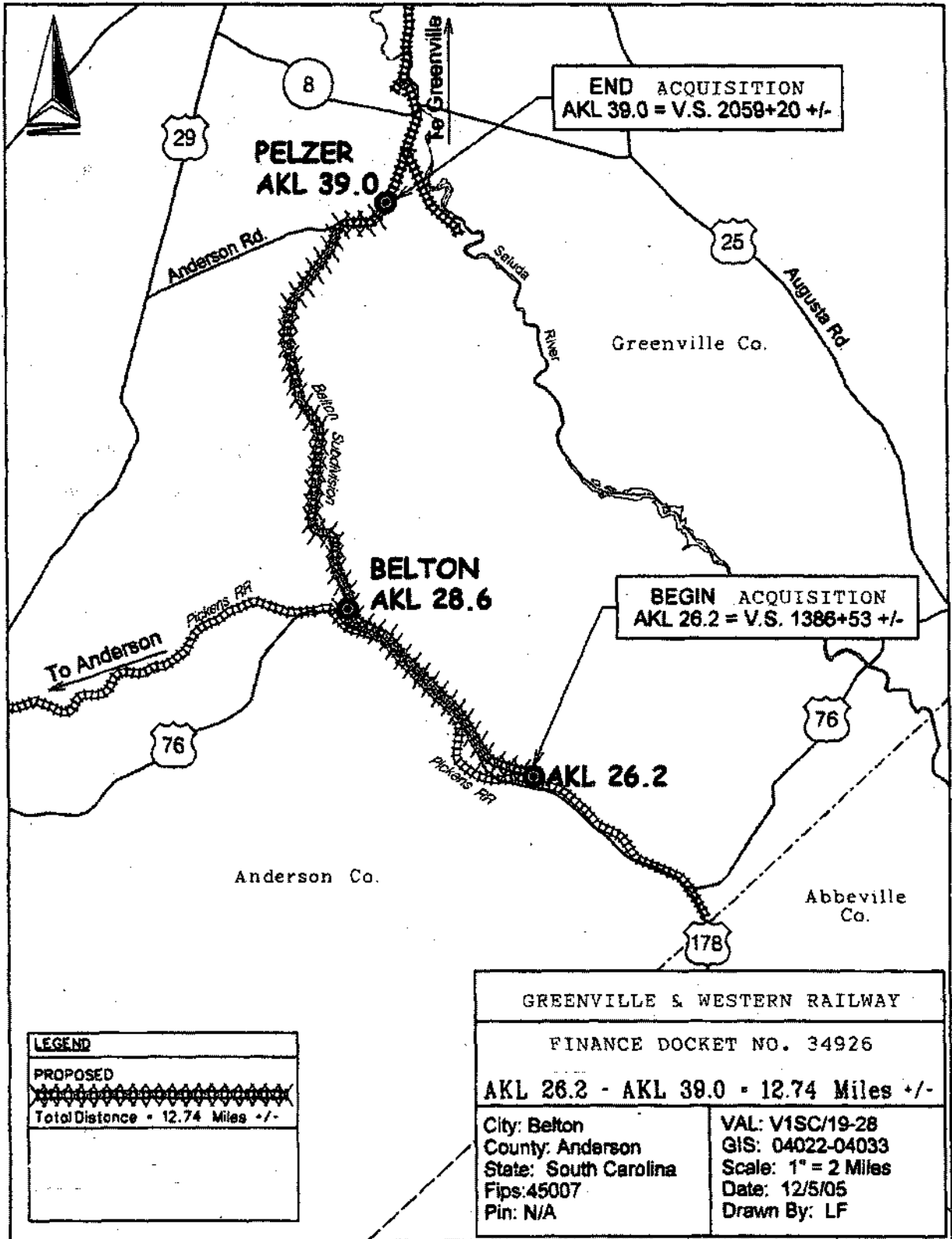
Steven C. Hawkins,  
President  
Greenville & Western Railway Company, LLC  
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[steven.hawkins@wcrscorp.com](mailto:steven.hawkins@wcrscorp.com)

September 20, 2006

EXHIBIT A - MAP



END ACQUISITION  
AKL 39.0 = V.S. 2059+20 +/-

BEGIN ACQUISITION  
AKL 26.2 = V.S. 1386+53 +/-

PELZER  
AKL 39.0

BELTON  
AKL 28.6

AKL 26.2

GREENVILLE & WESTERN RAILWAY

FINANCE DOCKET NO. 34926

AKL 26.2 - AKL 39.0 = 12.74 Miles +/-

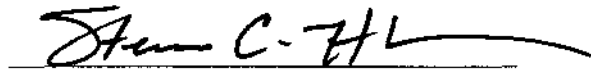
City: Belton  
County: Anderson  
State: South Carolina  
Fips: 45007  
Pin: N/A

VAL: V1SC/19-28  
GIS: 04022-04033  
Scale: 1" = 2 Miles  
Date: 12/5/05  
Drawn By: LF

LEGEND
PROPOSED
Total Distance = 12.74 Miles +/-

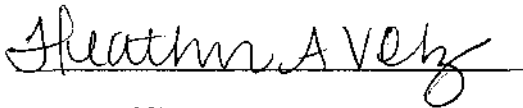
**EXHIBIT B – CERTIFICATION OF PROJECTED REVENUES**

I, Steven C. Hawkins, President and Authorized Agent (as filed with the South Carolina Secretary of State) of Greenville & Western Railway Company, LLC (“GRLW”), hereby certify under penalty of perjury that the projected revenues of GRLW, upon consummation of the proposed transaction, will not result in the creation of a Class II or Class I rail carrier, will not exceed \$5 million, and that GRLW will be a Class III rail carrier as set forth at 49 CFR 1201, General Instruction 1-1 (a).



Steven C. Hawkins

**SUBSCRIBED AND SWORN TO** before me, a Notary Public, in the County of Spartanburg, State of South Carolina, this 18<sup>th</sup> day of September 2006.



Notary Public (SEAL)

My Commission Expires:

My Commission Expires  
September 1, 2015

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**EXHIBIT C – CAPTION SUMMARY**

**SURFACE TRANSPORTATION BOARD**

**Verified Notice of Exemption**

**STB Finance Docket No. 34926**

**GREENVILLE & WESTERN RAILWAY COMPANY, LLC  
-- ACQUISITION AND OPERATION EXEMPTION --  
LINE OF CSX TRANSPORTATION, INC.**

Greenville & Western Railway Company, LLC ("GRLW"), a non-carrier, has filed a Verified Notice of Exemption to acquire and operate, from CSX Transportation, Inc., a 12.74-mile rail line between MP AKL 26.26, near Belton, and MP AKL 39.00, near Pelzer, in Anderson County, SC.

The transaction was scheduled to be consummated on October 20, 2006, after the effective date of the exemption, and more than 7 days after the exemption was filed.

GRLW has certified that its projected annual revenues as a result of the transaction will not result in GRLW becoming a Class II or Class I rail carrier and will not exceed \$5 million. GRLW will be a Class III rail carrier as a result of the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34926, must be filed with the Surface Transportation Board, 1925 K Street NW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on: Steven C. Hawkins, President, Greenville & Western Railway Company, LLC, Post Office Box 16614, Greenville, SC 29606-7614.

The notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 USC 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: October \_\_, 2006.

By the Board  
Vernon A. Williams  
Secretary