

**SURFACE TRANSPORTATION BOARD DENIES STAY PENDING COURT REVIEW OF "OFA" SALE OF LINE IN
"RAILROAD VENTURES" CASE**

Surface Transportation Board (Board) Chairman Linda J. Morgan announced today that the Board has issued a decision refusing to hold up, pending court review, an earlier decision directing Railroad Ventures, Inc. (RVI) to sell a rail line between Youngstown, Ohio, and Darlington, Pennsylvania, to Columbiana County Port Authority (CCPA).

Under its "Offer of Financial Assistance" (OFA) procedures, which are designed to facilitate continued rail service, the Board has the authority to order a railroad seeking to abandon a line to instead sell the line to a party willing to provide continued rail service. In this case, RVI bought the Youngstown-Darlington line in 1996, but it provided virtually no service to the shippers on the line, and soon began permitting outside parties to pave over portions of the line. CCPA was able to invoke the OFA process to buy the line from RVI once RVI obtained abandonment approval from the Board.

When the OFA process is engaged and involved parties are unable to agree on a purchase price, a party, as here, may request the agency to determine the price at which the line is to be sold. Throughout the Board's OFA proceedings, RVI took actions designed to alter the price of the line, to limit the amount of property transferred, and otherwise to frustrate the sale. By denying RVI's request to stop the OFA process until the court has completed review of the matter, the Board will help restore needed rail service over this line. The Board also denied other relief sought by RVI to avoid the OFA process.

The Board issued its decision yesterday in *Railroad Ventures, Inc.--Abandonment Exemption --Between Youngstown, OH, and Darlington, PA, in Mahoning and Columbiana Counties, OH, and Beaver County, PA, STB Docket No. AB-556 (Sub-No. 2x) et al.* A printed copy is available for a fee by contacting **D~To-D~ Office Solutions, Room 405, 1925 K Street, N.W., Washington, D.C. 20006, telephone (292) 466-5530**. The decision also is available for viewing and downloading via the Board's website at <http://www.stb.dot.gov>.

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