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ENTERED
Office of Proceedings
August 1, 2024
Part of
Public Record

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August 1, 2024

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

Re: **FD 32309**
New Hampshire Central Railroad, Inc. —
Modified Rail Certificate

Notice of Intent to Terminate Service

Dear Ms. Brown:

New Hampshire Central Railroad, Inc. (“NHCR”) hereby tenders its 60-day Notice of Intent to Terminate Service pursuant to 49 C.F.R. § 1150.24 for the entire line that is the subject of the above-referenced modified certificate proceeding.

NHCR has held common carrier authorization over the subject line (the “Line”), extending between milepost 0.0 (MP MEC P 131.75) at North Stratford, New Hampshire, and milepost 22.96 (MP MEC P 154.71) at Beecher Falls, Vermont, pursuant to a modified certificate of public convenience and necessity.¹ A portion of the subject Line (the “Segment”) – from milepost P 131.93 at North Stratford to milepost P 145.21 at Colebrook, New Hampshire – was included in the recent change of operator notice of

¹ *New Hampshire Central Railroad, Inc., Modified Rail Certificate*, FD 32309 (ICC served July 15, 1993) (“*NHCR – Modified Certificate*”). Incidentally, *NHCR – Modified Certificate* states that the Line previously was operated by an entity known as North Stratford Railroad Corporation (“North Stratford”) under “a certificate and decision” in FD 28553 (ICC served Oct. 17, 1978) (*see NHCR – Modified Certificate*, slip op. at 1), and states also that North Stratford has not obtained authorization to discontinue operations over the line (*id.*).

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exemption in *Merrimack & Grafton Railroad Corporation – Change of Operator Exemption – in Grafton and Coos Counties, N.H., and Essex County, Vt.*, FD 36771 (STB served May 10, 2024) (“*MGRC – Exemption*”). Effectuation of the transaction authorized in *MGRC – Exemption* (which NHCR understands has taken place) may have served to terminate NHCR’s common carrier status over the Segment. Nevertheless, NHCR files the present notice of termination under Section 1150.24 both out of an abundance of caution (as bears on the Segment), and to authorize termination of its modified certificate common carrier status over the portions of the Line between – (a) milepost P 145.21 at Colebrook and milepost 154.71 at Beecher Falls, and (b) mileposts P 131.75 and P 131.93 at North Stratford, each of which extends beyond the Segment now operated by Merrimack & Grafton Railroad Corporation.

The undersigned certifies in the attached that the present notice of modified certificate termination will be served upon the New Hampshire Department of Transportation, the Vermont Agency of Transportation, and all railroad customers located along the Line that have made use of NHCR service within the past six months.

Respectfully submitted,

/s/ *R. A. Wimbish*

Robert A. Wimbish
Attorney for New Hampshire Central Railroad, Inc.

Attachment

cc: All parties of record

CERTIFICATE OF FILING AND SERVICE

I, Robert A. Wimbish, certify that on August 1, 2024, a copy of the foregoing **Notice of Intent to Terminate Service** has been served upon the following, including all persons who have made use of the line in question in the past six months:

New Hampshire Department of Transportation
Attention: Lou Barker, Bureau of Rail and Transit
Louis.Barker@dot.nh.gov

Vermont Agency of Transportation
Attention: Dan Delabruere, Director Rail & Aviation
daniel.delabruere@vermont.gov

Dead River Company:
Alan.Dorr@deadriver.com

Superior Plus Energy Services, Inc.:
amoosbrugger@superiorpropane.com

NGL Supply Wholesale LLC:
Kiel.McCall@nglep.com

Irving Oil Limited:
Ryan.McPherson@irvingoil.com

Top Rail Solutions Inc.:
trsteam@trsrail.com

Profile Mountain Holdings Corp.:
Dave@conwayscenic.com

/s/ *R. A. Wimbish*

Robert A. Wimbish