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ENTERED  
Office of Proceedings  
October 8, 2024  
Part of  
Public Record

October 8, 2024

Via Electronic Filing

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

RE: Docket FD-36813  
Cedar Hills Rail LLC- Operation Exemption  
Revisions to Notice of Exemption

Dear Ms. Brown:

This firm represents the applicant Cedar Hills Rail LLC in the above captioned matter.

Please note the following revisions to our Notice

Regarding Advance Notice section 49 C.F.R. §1150.33 (e) should be revised as follows. The revised sections are in red.

The annual revenues of **Cedar Hills Rail LLC** are not expected to exceed \$5,000,000. Accordingly, the advance notice requirements of 49 C.F.R. §1150.32 (e) are not applicable. **See Certification to this Notice.**

Regarding reference to installation of a switch noted on page 4 and page 10 of the Notice of Exemption these references are revised as follows:

Statement Concerning Agreement 49 C.F.R. § 1150.33(c)

CHR is entering into a Track Lease and Operating Agreement with its parent company AB Eco by which AB Eco will grant CHR the rights to lease, operate, maintain the approximately 7150 feet of previously private track located in the Park and to hold out to provide common carrier rail services to industries to be located in the Park. The Tracks covered by this Notice are shown in yellow on Exhibit C. Rail operations will consist primarily of switching rail cars to and from shippers in the Park. CHR will interchange on the tracks of CSXT as shown in red on Exhibit D. CHR plans to close this transaction on or after the effective date of this Notice. Actual operations will commence when the tracks have been rehabilitated and **Cedar Hills Rail LLC will pay for the restoration of the switch** so that common carrier rail service can safely resume.

In addition, the Caption Summary is revised to read.

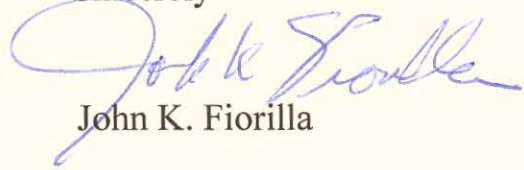
Pursuant to 49 C.F.R. § 1150, Subpart D, Cedar Hills Rail LLC (“CHR”) has filed a Verified Notice of Exemption for authority to operate as a Class III carrier over approximately

7150 feet of railroad track located in a 90-acre industrial site located in The Town of North Haven and the City of New Haven, Connecticut named Eco Park. The rail track covered by this Notice which does not have mileposts is formerly private track that has been a private track without rail service since at least 1987. Rail service to the facility ceased no later than 1987 when it was sold by Consolidated Rail Corporation to Celevon Corporation. Applicant CHR and its parent company AB Eco Park LLC (“AB Eco”) the owner of the facility which purchased it in 2024 desire for the existing track to be rehabilitated and a switch replaced by Cedar Hills Rail LLC to enable the resumption of rail service to shippers which will locate on the site. CHR is acquiring the tracks by long term lease from its parent AB Eco. Based upon projected rail revenues, CHR expects to be a Class III rail carrier following consummation of the transaction proposed herein. CHR will retain the obligations to provide common carrier service but CHR expects to contract with another carrier to operate the track on its behalf. The identity of this operating carrier is not yet known. This operating carrier will request operating authority from the Board to operate for CHR.

CHR plans to close this transaction on or after the effective date of this Notice. Actual operations will commence when the tracks have been rehabilitated and the switch and when Cedar Hills Rail LLC has paid for the restoration of the switch so that common carrier rail service can safely resume.

If you have any questions regarding the filing, please advise.

Sincerely



John K. Fiorilla


Cc: William Gambardella  
Andy Anastasio, Jr.



CERTIFICATION

I, William Gambardella Member of the Applicant, Cedar Hills Rail LLC, hereby certifies that Cedar Hills Rail LLC is not expected to exceed \$ 5,000,000 in annual revenues.

October 7, 2024



William Gambardella