

SURFACE TRANSPORTATION BOARD

Washington, DC 20423

Office of Economics, Environmental Analysis, and Administration

Mr. John H. Broadley
John H. Broadley & Associates, P.C.
Canal Square
1054 Thirty-First Street, N.W.
Washington D.C. 20007

January 24, 2006

RE: Indiana Rail Road Company Planned Rail Line
Construction and Operation at Sullivan, Indiana

Dear Mr. Broadley:

Pursuant to 49 CFR 1105.10(c), we are granting your request of December 27, 2005 for a waiver of the six month pre-filing notice generally required for construction projects under 49 CFR 1105.10(a)(1).

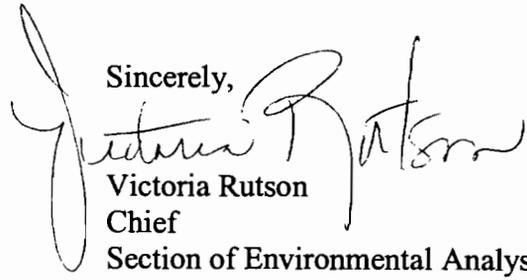
On December 14, 2005, the Surface Transportation Board's Section of Environmental Analysis (SEA) met with representatives from the Indiana Rail Road Company (INRD) and yourself regarding the proposed construction and operation of connecting track between CSX Transportation, Inc.'s (CSXT) north-south Evansville to Chicago line and INRD's east-west line in Sullivan, Indiana. At the meeting, SEA was provided with an overview of the project, as well as maps and photographs of the area surrounding the proposed rail line.

INRD plans to seek authority from the Board to construct and operate an approximately 1.5-mile line of railroad. The purpose of the rail line would be to make it possible for trains moving north on CSX Transportation's main line to turn east onto INRD's line and for trains moving west on INRD's main line to turn south onto CSXT's line without complex backing movements that could obstruct CSXT's mainline or highway crossings in Sullivan. The principal use of the proposed rail line would be to facilitate the movement of coal trains between a newly permitted coal mine at Carlisle and Indianapolis Power & Lights's Harding Street power plant in Indianapolis.

The area where the proposed rail line would be built is primarily farmland; however, there are homes located in the area as well. In addition, the Minnehaha Fish and Wildlife Area is located to the east of the proposed project area and, thus, will limit where the proposed rail line could be built. INRD is considering several possible alignments and, depending on which alignment considered, would involve one or two highway grade crossings. Based on the information available to date, INRD indicates that the proposed construction and rail line operation project is not expected to result in significant environmental impacts.

At the December 14, 2005 meeting, SEA also provided a general overview of the Board's environmental review process, SEA's role in the process and use of third-party consultants. Based on information from this initial meeting, as well as the preceding information provided by INDR's representatives, SEA believes that it has adequate information and that the applicant is sufficiently aware of the environmental process to grant this request.

If we can be of further assistance, please contact Christa Dean of my staff at (202) 565-1606.

Sincerely,

Victoria Rutson
Chief
Section of Environmental Analysis