B.C.D. 01-34

EMPLOYER STATUS DETERMINATION
Central Midland Railway Company

APR 04 2001

This is the determination of the Railroad Retirement Board concerning the status of Central Midland Railway Company as an employer under the Railroad Retirement Act (45 U.S.C. § 231 et seq.) and the Railroad Unemployment Insurance Act (45 U.S.C. § 351 et seq.).

Information regarding Central Midland was provided by Susan Ferverda, Vice President Human Resources, Central Midland. According to Ms. Ferverda, Central Midland began doing business January 2, 2001. Thomas G. Hoback is the chief executive officer of Central Midland.

In Surface Transportation Board Finance Docket No. 33988, Central Midland filed a notice of exemption to enter into an operating agreement with Missouri Central Railroad Company, a covered employer under the Acts (B.A. No. 2881), to operate approximately 244.5 miles of rail line owned by the Missouri Central Railroad and approximately 33.5 miles owned by the Union Pacific Railroad. This line was formerly operated by General Railway Corporation (B.A. No. 9846), also under a contract with the Missouri Central Railroad. It interchanges with the Union Pacific, the Burlington Northern Santa Fe, the Norfolk Southern, CSXT, and several other railroads.

The evidence of record establishes that the Central Midland is a rail carrier operating in interstate commerce. Accordingly, it is determined that Central Midland is an employer within the meaning of section 1(a)(1)(i) of the Railroad Retirement Act (45 U.S.C. § 231(a)(1)(i)) and the corresponding provision of the Railroad Unemployment Insurance Act as of January 2, 2001, the date as of which it commenced operations.

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