EMPLOYER STATUS DETERMINATION
Greenville & Northern Railway Company (G&NR)

DEC 1 6 1999

This is the determination of the Railroad Retirement Board concerning the continued status of Greenville & Northern Railway Company (G&NR), B.A. No. 3532, as an employer under the Railroad Retirement Act (45 U.S.C. §231 et seq.) (RRA) and the Railroad Unemployment Insurance Act (45 U.S.C. §351 et seq.) (RUIA).

In Surface Transportation Board (STB) Finance Docket Number 33391, decided April 23, 1997, South Carolina Central Railroad, Inc., Carolina Piedmont Division (CPD) (B.A. No. 2858), filed a verified notice of exemption to acquire and operate 11.8 miles of rail line from G&NR between milepost 0.0 at Greenville, South Carolina and milepost 11.8 at Traveler's Rest, South Carolina. In addition, CPD acquired by assignment, G&NR's overhead trackage rights over 1.65 miles of rail line owned by CSX Transportation, Inc. between milepost AKJ-591.53 and milepost AKL-57.35, in Greenville, South Carolina.

G&NR filed Articles of Dissolution with the Secretary of State for the State of South Carolina on November 30, 1998. Additional information obtained in response to a coverage investigation of G&NR indicates that G&NR sold all assets to CPD, ceased operations on April 27, 1997, and last compensated employees on May 12, 1997. The former G&NR is now operated by employees of CPD.

From the information obtained regarding G&NR, it appears that all railroad trackage has been transferred from G&NR to CPD. Additionally, G&NR has been dissolved as a corporation.

Section 202.11 (20 CFR 202.11) of the Board's regulations states that:

> The employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status.

The information summarized above indicates that G&NR no longer possesses the characteristics of an operating railroad company. The Board therefore finds that effective with the close of business on May 12, 1997, the last date that it compensated employees, the Greenville & Northern Railway Company ceased being a covered employer under the Railroad Retirement Act and the

Greenville & Northern Railway Company (G&NR)

Railroad Unemployment Insurance Act. The Board also finds that CPD is the successor employer of the former G&NR for purposes of experience rating under the RUIA. See 20 CFR §345.204.

Cherryl T. Thomas

V. M. Speakman, Jr.

Jerome F. Kever