

**EMPLOYER STATUS DETERMINATION**

**BPM Rail, Inc. d/b/a Louisville, New Albany, & Corydon Railroad  
(BPM)**

This is a determination of the Railroad Retirement Board concerning the continuing status of BPM Rail, Inc. d/b/a Louisville, New Albany, & Corydon Railroad (BPM) 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.).

BPM (B.A. # 4396) has been an employer under the Railroad Retirement Act and Railroad Unemployment Insurance Act since February 12, 1988.

The latest coverage information in the file for BPM indicates that the Secretary of State for the State of Indiana administratively dissolved BPM as of July 18, 2008. Mr. William Davis is the current registered agent for BPM. Mr. Charles T. Owen is listed as the principal and is the individual who signed the corporate dissolution documents. The file indicates that BPM does not provide rail services and ceased operations December 24, 2008, which is the date that the corporate dissolution document became effective. No employees were compensated after the date of dissolution. The file contains dissolution documents in addition to reports indicating the date of administrative dissolution by the Secretary of State of Indiana.

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.

Information in our coverage files indicates that BPM was formed to operate a railroad and began operations February 12, 1988. BPM was found to be covered under the Acts in B.C.D. 90-49. The evidence of record establishes that BPM has not functioned as a rail carrier in over 2 years and no longer possesses the characteristics of a railroad carrier employer.

The Board therefore finds that effective December 28, 2008, the date the dissolution documents became effective, BPM Rail, Inc., ceased being a covered employer under the Railroad Retirement and Railroad Unemployment Insurance Acts.

Original signed by:

FOR THE BOARD  
Beatrice Ezerski  
Secretary to the Board