

**EMPLOYER STATUS DETERMINATION
Caddo Valley Railroad Company**

This is a determination of the Railroad Retirement Board concerning the continuing status of Caddo Valley Railroad Company (CVRC), 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.).

In Board Coverage Decision (BCD) 01-24, CVRC (BA # 2885) was determined to be an employer under the Railroad Retirement Act and Railroad Unemployment Insurance Act effective September 1, 2000.

On January 5, 2012, in response to ongoing communication between CVRC and the Railroad Retirement Board, Mr. Richard Streeter, the Counsel for the CVRC, provided answers and exhibits to explain the status of the line of track previously utilized by CVRC including its abandonment and partial reacquisition by Arkansas Midland Railroad Company (AKMD) effective September 29, 2011.

CVRC filed a petition with the STB (Docket No. AB 1076) to abandon a portion of the "Norman Branch Line" owned by CVRC from milepost 429.45 near Gurdon, Arkansas to milepost 447 near Antoine, Arkansas (a distance of 17.55 miles). CVRC also filed a petition with the STB (Docket No. AB 1076X) to abandon a portion of the Norman Branch Line extending between milepost 447 near Antoine, Arkansas to milepost 479.2, at the end of the line near Bird's Mill, Arkansas (a distance of 32.2 miles). In addition to the two abandonments, CVRC also granted local trackage rights of the "Gurdon Segment" of the Norman Branch Line extending between milepost 426.88 in Gurdon, Arkansas and milepost 429.5 North in Gurdon, Arkansas (a distance of approximately 2.57 miles) to Arkansas Midland Railroad Company (AKMD; BA No. 3889) as recorded in Surface Transportation Board Docket No. 35530, decided June 8, 2011.

Mr. Streeter stated that rail operations ceased in September of 2010 when the process of abandoning the segments of the Norman Branch Line began. The segment of line known as the Gurdon Segment was sold to AKMD on September 29, 2011. Mr. Streeter reports that CVRC has no employees and is not conducting rail service of any type. CVRC also has no operating equipment. Due to the bankruptcy of CVRC's affiliate, Bean Lumber Company, documentation of the sale of the Gurdon Segment and other prior operation documentation is unavailable for disclosure to the Railroad Retirement Board.

Section 202.11 (20 CFR 202.11) of the Board's regulations provides 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 evidence of record establishes that CVRC no longer possesses the characteristics of a railroad carrier employer. The Board therefore finds that effective with the abandonment of the Norman Branch Line (November 10, 2011) and the sale of the Gurdon Segment of that line to AKMD (September 29, 2011), Caddo Valley Railroad Company ceased being a covered employer under the Railroad Retirement and Railroad Unemployment Insurance Acts. The effective date of this decision is November 10, 2011, the date of final abandonment of the Norman Branch Line.

Original signed by:

For The Board
Martha P. Rico
Secretary to the Board