

EMPLOYER STATUS DETERMINATION

THE DELAWARE-LACKAWANNA RAILROAD COMPANY, INC.

This is the decision of the Railroad Retirement Board regarding the status of The Delaware-Lackawanna Railroad Company, Inc. (DLRC), as an employer under the Railroad Retirement and Railroad Unemployment Insurance Acts.

Effective August 27, 1993, DLRC, a subsidiary of Genesee Valley Transportation Company, Inc., began rail operations over a line owned by Lackawanna County Rail Authority, a public rail authority and municipal corporation, as a shortline operator on a network of light density rail lines. DLRC has eight employees and interchanges with Conrail; the line was previously operated by Lackawanna Valley Railroad Corporation and Lackawanna Railway, Inc.

DLRC transports property by railroad in interstate commerce in the United States. Accordingly, the Board holds that DLRC is a rail carrier employer under the Railroad Retirement and Railroad Unemployment Insurance Acts from the date on which it began to operate and compensate its employees, August 27, 1993.

Glen L. Bower

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