

**EMPLOYER STATUS DETERMINATION**

**Hillvista Investment d/b/a/ Mollalla Western Railway**

This is the determination of the Railroad Retirement Board concerning the status of Hillvista Investment d/b/a/ Mollalla Western Railway (MWR) 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).

Hillvista Investment Company began doing business in 1987. It has three employees. On February 17, 1993, as Mollalla Western Railway it filed a notice of exemption with the Interstate Commerce Commission to begin operations on a 10.4 mile rail line in Oregon. Operations began February 22, 1993. The line interchanges with a line owned and operated by the Southern Pacific. The equipment used is leased at a specified amount per hour from its affiliate, the East Portland Traction Company, which was previously held to be an employer under the Acts (B.A. Number 4646). The rail line is operated by employees of East Portland, whose service and compensation is reported through that company, and none of the investment company employees work at the rail operation. Effective January 1, 1995, the rail operation will be sold to East Portland.

Based upon the information summarized above, it is determined that MWR became a rail carrier employer under the RRA and the RUIA effective February 22, 1993.

---

Glen L. Bower

---

V. M. Speakman, Jr.

---

Jerome F. Kever

CCCook:SABartholow:MCLitt:mcl:ik  
1867-94  
MWR.cov