

EMPLOYER STATUS DETERMINATION
Allegheny & Eastern Railroad, Inc.

This is the determination of the Railroad Retirement Board concerning the status of Allegheny & Eastern Railroad, Inc. (A&E) 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).

Information about A&E was furnished by its Treasurer, Mark W. Hastings. On November 25, 1992, A&E purchased the rail assets of the Allegheny Railroad Company (BA No.2245)¹ and began rail operations. A&E has 17 employees who were first compensated as of November 25, 1992. A&E interchanges with Conrail (BA No.1321) at Erie, Corry, and Emporium; with Buffalo & Pittsburgh Railroad, Inc. (BA No.2249) at Johnsonburg; and with the Knox & Kane Railroad (BA No.3256) at Kane.

In Interstate Commerce Commission (ICC) Finance Docket No. 32148, decided September 18, 1992, A&E filed a notice of exemption to acquire and operate 147.1 miles of rail line owned by Allegheny Railroad Company between milepost 2.8 located at Mill Creek Township, Erie County, Pennsylvania and milepost 149.9 located at Emporium, Cameron County, Pennsylvania.

Based upon the information summarized above, it is determined that Allegheny & Eastern Railroad, Inc. became a rail carrier employer under the RRA and the RUIA effective November 25, 1992, the date on which it began railroad operations.

Glen L. Bower

V.M. Speakman, Jr.

Jerome F. Kever

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¹The Allegheny Railroad Company is being separately investigated for termination of coverage as an employer under the RRA and the RUIA.

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