

EMPLOYER STATUS DETERMINATION
Southern Switching Company

This is the determination of the Railroad Retirement Board concerning the status of Southern Switching Company (SSC) 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).

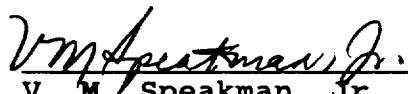
In Interstate Commerce Commission (ICC) Finance Docket No. 32500, decided May 6, 1994, SSC and Lone Star Railroad, Inc. filed a notice of exemption for Lone Star to acquire and for SSC to operate 143.3 miles of rail line owned by Burlington Northern Railroad Company (BNRC) a covered employer under the Acts (BA No.1621). The 143.3 miles of rail line include, BNRC's rail line between Milepost No. 8.0 at Valley Junction, near Howard, Texas and Milepost No. 151.3 at Abilene, Texas.

Effective May 16, 1994, SSC began rail operations. Information regarding SSC was provided by Karen Brown, SSC's accountant. Gregory B. Cundiff is the Chief Executive Officer of SSC. SSC currently has six employees. According to Ms. Brown, SSC is a short line freight service provider. SSC expects to be switching approximately 1,600 loaded cars per year. SSC interchanges with BNRC at Valley Traction, (Milepost 8) Near Howard Texas, and with Union Pacific Railroad Company, at Abilene, Texas (Milepost 151.3).

The evidence establishes that SSC transports property by railroad in interstate commerce in the United States. Accordingly, the Board holds that Southern Switching Company is a rail carrier employer under the Railroad Retirement and Railroad Unemployment Insurance Acts from the date on which it began to operate, May 16, 1994.



Glen L. Bower



V. M. Speakman, Jr.



Jerome F. Kever