

## EMPLOYER STATUS DETERMINATION

### Georgia & Florida Railroad Company, Inc.

This is the determination of the Railroad Retirement Board concerning the status of Georgia & Florida Railroad Company, Inc. (GFR) 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. 32680, decided April 26, 1995, GFR filed a notice of exemption to acquire and operate approximately 131.2 miles of rail line owned by Norfolk Southern Railway Company, a covered employer under the Acts (B.A. No. 1525). The 131.2 miles of rail line extend between: (1) milepost 23.25 at Ganor and milepost 33.6 at Schley Junction, near Moultrie, and between milepost 29.52 at Norman Junction, near Moultrie, and milepost 33.52 at Moultrie, in Colquitt County, Georgia (the "Moultrie lines"); (2) milepost 30.65 at Valdosta, in Lowndes County, Georgia and milepost 57.2, at Nashville, in Berrien County, Georgia (the "Valdosta-Nashville line"); and (3) milepost 93.0 and milepost 95.3, within Camilla, in Mitchell County, Georgia (the "Camilla line"). GFR will also lease from Norfolk Southern and operate a rail line extending between milepost .07 at Albany, in Dougherty County, Georgia and milepost 58.9 at Sparks, in Cook County, Georgia (the "Sparks line").

Effective April 14, 1995, GFR began rail operations. Information regarding GFR was provided by Jo A. DeRoche, attorney for GFR. H. Peter Claussen is the Chief Executive Officer of GFR. GFR first compensated its thirteen employees on April 3, 1995. According to Ms. DeRoche, GFR is a short line freight service provider. GFR expects to be switching approximately 11,000 carloads of freight. GFR interchanges with Norfolk Southern at Albany, Adel and Valdosta, Georgia, and interchanges with Atlantic & Gulf Railroad, B.A. No. 5537, at Albany, Georgia.

The evidence establishes that GFR transports property by railroad in interstate commerce in the United States. Accordingly, the Board holds that Georgia & Florida Railroad Company, Inc. is a rail carrier employer under the Railroad Retirement and Railroad Unemployment Insurance Acts effective April 3, 1995, the date it first compensated its employees.

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Glen L. Bower

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V. M. Speakman, Jr.

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**TO** : The Board

**FROM** : Catherine C. Cook  
General Counsel

**SUBJECT:** Coverage Determination  
**Georgia & Florida Railroad Company, Inc.**

Attached is a proposed coverage ruling for Board approval.

Attachment

**TO** : The Board

**FROM** : Catherine C. Cook  
General Counsel

**SUBJECT:** Employee Status

Attached is a proposed employee status ruling for Board approval.

Attachment