

EMPLOYER STATUS DETERMINATION
Minnesota Northern Railroad, Inc.

This is the determination of the Railroad Retirement Board concerning the status of Minnesota Northern Railroad, Inc. (MNR) 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 MNR was furnished by its Vice President of Operations, Jack F. Conser.

In Surface Transportation Board (STB) Finance Docket No. 33315, MNR filed a notice of exemption under 49 CFR 1150.31-34 to acquire from Burlington Northern Railroad Company (BNSF)¹ and operate approximately 204.10 miles of rail line as follows: (1) 33.25 miles of rail line on the Minnesota Junction at Ada, Minnesota, between Ada Subdivision mileposts 80.25 and 47.0; (2) 20.6 miles of rail line on the Redland Junction at Fertile, Minnesota between Fertile Subdivision mileposts 65.7 and 45.1; (3) 13.0 miles of rail line on the Tilden Junction at Red Lake Falls, Minnesota between Grand Forks Subdivision mileposts 56.84 and 13.0 miles east; (4) 44.25 miles of rail line on the Minnesota Junction at Perley, Minnesota between P Line Subdivision mileposts 65.25 and 21.0; and (5) 93 miles of rail line on the St. Hilaire line at Warroad, Minnesota, between Warroad Subdivision mileposts 11.0 and 104.0. MNR also obtained certain incidental overhead trackage rights. (See also STB Finance Docket No. 33337, decided February 28, 1997).

MNR interchanges with BNSF. Its operation consists of two crews daily performing industrial switching and interchange on various parts of the system. MNR has 12 employees who were first compensated as of December 27, 1996, which was also the beginning date of MNR's operation.

Based upon the information summarized above, the Board finds that MNR became a rail carrier employer under the RRA and RUIA effective December 27, 1996.

Glen L. Bower

V. M. Speakman, Jr.

¹In a footnote to its decision, the STB noted that on December 31, 1996, The Atchison, Topeka and Santa Fe Railway Company merged with and into the Burlington Northern Railroad Company. The name of the surviving corporation is The Burlington Northern and Santa Fe Railway Company (BNSF).

Jerome F. Kever