

**EMPLOYER STATUS DETERMINATION**  
**Mississippi & Tennessee Railnet, Inc.**

This is the determination of the Railroad Retirement Board concerning the status of Mississippi & Tennessee Railnet, Inc. (MTR), as an employer under the Railroad Retirement Act (45 U.S.C. § 231 et seq.) and the Railroad Unemployment Insurance Act (45 U.S.C. §351 et seq.).

Information regarding MTR was provided by Mr. William E. Glavin, Executive Vice-President of MTR. Mr. Robert F. McKenney is the Chief Executive Officer of MTR. MTR began operations June 23, 1998.

The Surface Transportation Board has granted an exemption to MTR to acquire from the Kansas City Southern Railway Company, and to operate approximately 87 miles of rail line and 7.5 miles of spur and side tracks, between Houston, Mississippi and Middleton, Tennessee. See: Mississippi & Tennessee Railnet, Inc.-- Acquisition and Operation Exemption--The Kansas City Southern Railway Company, STB Finance Docket 33624, July 6, 1998, 63 Fed. Reg. 37932.

The evidence of record establishes that MTR is a carrier operating in interstate commerce. Accordingly, it is determined that MTR is an employer within the meaning of section 1(a)(1)(i) of the Railroad Retirement Act (45 U.S.C. § 231a(1)(i)) and the corresponding provision of the Railroad Unemployment Insurance Act as of June 23, 1998, the date as of which it commenced operations.

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