

**EMPLOYER STATUS DETERMINATION**  
**Golden Isles Terminal Railroad, Inc. (GITR)**

This is a determination of the Railroad Retirement Board concerning the status of the Golden Isles Terminal Railroad, Inc. (GITR) 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.).

In Surface Transportation Board (STB) Finance Docket 33614 decided June 24, 1998, GITR filed a verified notice of exemption to operate lines of railroad owned by Georgia Ports Authority (GPA) at the Colonel's Island Bulk and Auto Processing Terminal near Brunswick, Glynn County, Georgia and currently being operated by Colonel's Island State Docks Railroad (CIRR) (BA No. 5538). The STB Finance Docket stated that upon consummation of the transaction, CIRR would permanently relinquish its rights to operate as a common carrier over the rail lines.

Information regarding GITR was furnished by Mr. William A. Jasper, Vice President of GITR. According to Mr. Jasper, GITR began operations on June 9, 1998. James W. Benz is the Chief Executive Officer of GITR. Mr. Jasper stated that GITR is a wholly owned subsidiary of Genesee and Wyoming, Inc., (GWI) a non-carrier holding company. According to Mr. Jasper, GITR has four employees who were first compensated on June 9, 1998.

Mr. Jasper stated that GITR operates a total of 33 miles of track including 12.6 miles of mainline trackage between Anguilla Junction, Georgia and GPA. GITR handles approximately 6,000 railcars per year in interchange from connecting carriers and serves the customers located at GPA's Colonels Island facility, according to Mr. Jasper. GITR interchanges with Norfolk Southern and CSX Transportation.

Section 1(a)(1) of the Railroad Retirement Act (45 U.S.C. §231(a)(1)), insofar as relevant here, defines a covered employer as:

- (i) any carrier by railroad subject to the jurisdiction of the Surface Transportation Board under part A of subtitle IV of Title 49, United States Code.

The evidence of record establishes that GITR is a rail carrier operating in interstate commerce. Accordingly, it is determined that GITR is an employer within the meaning of section 1(a)(1)(i) of the Railroad Retirement Act (45

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U.S.C. §231(a)(1)(i) and the corresponding provision of the Railroad Unemployment Insurance Act effective June 9, 1998, the date as of which it commenced operations and its employees were first compensated.

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V. M. Speakman, Jr.

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