

EMPLOYER STATUS DETERMINATION
Hilldale County Railway Company

This is the determination of the Railroad Retirement Board concerning the continued status of Hilldale County Railway Company Co. (HCRC), B.A. No. 2329, 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 se.)(RUIA).

Information regarding HCRC was provided by William Fritze. According to Mr. Fritze, all operating assets were sold to Indiana Northeastern, a covered employer (B.A. No. 2354), in December 1992. He stated that HCRC ceased operations and last compensated employees on December 22, 1992. Mr. Fritze stated that HCRC's remaining assets were used to make payments to HCRC's creditors. HCRC was dissolved as a corporation on November 15, 1993.

Section 202.11 (20 CFR §202.11) of the Board's regulations states:

The employer status of any company or person shall terminate whenever such company or person loses any of the characteristics essential to the existence of an employer status.

According to the information M. Fritze provided, HCRC sold all of its assets to Indiana Northeastern in December 1992. HCRC ceased operations and last compensated employees on December 22, 1992. HCRC dissolved as a corporation on November 15, 1993. HCRC no longer possesses the characteristics of an operating railroad company covered by the Acts; accordingly, under section 202.11 of the Board's regulations, HCRC is no longer a covered employer under the RRA and RUIA.

Effective with close of business December 31, 1992, the last month in which HCRC compensated employees, HCRC ceased being a covered employer under the RRA and the RUIA.

Glen L. Bower

V. M. Speakman, Jr.

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