

EMPLOYER STATUS DETERMINATION

Austin Area Terminal Railroad, Inc.

This is the determination of the Railroad Retirement Board concerning the continuing status of Austin Area Terminal Railroad, Inc. (AATR) (B.A. No. 3895) 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). AATR has been an employer under the RRA and RUIA with service creditable from December 13, 2000.

Information provided by Edward D. Greenberg, the attorney representing AATR, confirmed that AATR ceased its operations on September 30, 2007. Further information has confirmed that AATR employees were last compensated on September 30, 2007, and that the majority of AATR employees went to work for the new carrier operator¹ of the rail line service formerly provided by AATR and that two administrative employees went to work for AATR's parent corporation, Trans-Global. AATR itself is now a dormant corporation with no assets.

Section 202.11 of the Board's regulations provides that:

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.

Based on the information set forth above, it is the determination of the Railroad Retirement Board that Austin Area Terminal Railroad, Inc. ceased being an employer under the RRA and RUIA on September 30, 2007, the date on which it ceased operations and last compensated employees.

Original signed by:

FOR THE BOARD
Beatrice Ezerski
Secretary to the Board

¹ Austin Western Railroad, Inc. See B.C.D. No. 08-5, issued January 22, 2008.