


EMPLOYER STATUS DETERMINATION
Denver Terminal Railroad Company

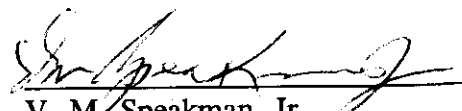
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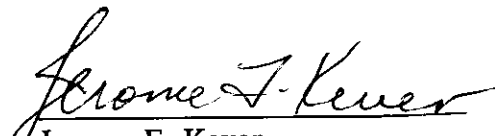
This is the determination of the Railroad Retirement Board concerning the status of Denver Terminal Railroad Company (new DTRC), as an employer under the Railroad Retirement Act (45 U.S.C. §231 et seq.)(RRA) and the Railroad Unemployment Insurance Act (45 U.S.C. §351 et seq.)(RUIA).

Information regarding new DTRC was provided by new DTRC's dispatcher Lonnie Morgan. According to Mr. Morgan, the assets of old DTRC, B.A. No. 4780, were sold to Mr. Thomas Z. Mars on December 29, 1993. Mr. Mars continued operations under the same name. New DTRC operates 11.27 miles of rail line in Denver, CO, (1) between mileposts 0.00 and 0.80 (Denver stockyards), and (2) between mileposts 0.76, at or near Poplar Street, and milepost 3.99, at or near Belt Junction (Airlawn). New DTRC interchanges with Burlington Northern, B.A. No. 1012 and Denver Rio Grande, B.A. No. 1707.

New DTRC actually commenced operations as a class II carrier and first compensated its employees on March 1, 1994. Accordingly, it is determined that the Denver Terminal Railroad Company, is an employer within the meaning of section 1(a)(1)(i) of the Railroad Retirement Act (45 U.S.C. §231 (a)(1)(i)) and the corresponding provision of the Railroad Unemployment Insurance Act effective March 1, 1994, the date as of which it first compensated employees.


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