

EMPLOYER STATUS DETERMINATION
Florida East Coast Highway Dispatch Company
Operations Unlimited, Inc.
Florida East Coast Inspections, Inc.

This is the determination of the Railroad Retirement Board concerning the continued status of Florida East Coast Highway Dispatch Company (FECHDC), Operations Unlimited, Inc. (OU) and Florida East Coast Inspections, Inc. (FECI) as employers 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). FECHDC was ruled to be an employer under the Acts administered by the Board effective November 1, 1977, OU effective May 1, 1978, and FECI effective August 21, 1969.

FECHDC and OU ceased operations and last compensated employees on August 31, 1994. FECI ceased operations and last compensated employees on February 13, 1994. The assets of FECHDC, OU and FECI were sold, respectively, to incoming contractors and various third parties. The last reports of service and compensation filed by each of these employers were for the period ending on December 31, 1994. While each of the aforesaid companies continues to exist as a subsidiary corporation of the Florida East Coast Railway Company, an employer under the RRA and RUIA, they are not capable of resuming covered railroad operations without assets or employees. In addition, according to Mr. Larry Paine, General Counsel for Florida East Coast Industries, the reason why FECHDC, OU and FECI remain as corporate shells is because their parent corporation wishes to retain their corporate names. If the corporations were dissolved, the parent corporation would lose title to those names.

In accordance with the information summarized above, it is the Board's determination that Florida East Coast Highway Dispatch Company and Operations Unlimited, Inc. ceased being employers under the RRA and RUIA as of the close of business on August 31, 1994, the last day on which they

compensated employees, and that Florida East Coast Inspections, Inc. ceased being an employer under the RRA and RUIA as of the close of business on February 13, 1994, the last day on which it compensated employees.

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