

EMPLOYER STATUS DETERMINATION
Philadelphia Belt Line Railroad Company

This is the determination of the Railroad Retirement Board concerning the continued status of Philadelphia Belt Line Railroad Company (PBL) (BA number 4342) 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.).

PBL has been in existence since 1889 and was covered under the Railroad Retirement Act since the inception of coverage under that Act. Although the PBL was never an operating railroad, it formerly did have track and maintenance material and employees. The last compensated employee retired August 31, 1992, and PBL is now chiefly a real estate holding company. It leases a portion of its railroad line to Conrail (BA number 1321) and as of May 6, 1997, was negotiating to lease another portion to the Delaware River Port Authority, which is not a covered employer. According to attorney John J. Bradley of the law firm of Gilfillan, Gilpin & Brehman, the PBL is maintained to insure the non-discriminatory access to the Port of Philadelphia to any railroad.

PBL has had no compensated employees since August 31, 1992. It owns no equipment with which to operate a railroad. (See B.O. 89-74, Board of Trustees of Galveston Wharves). Operations over PBL's line are conducted by the employees of another railroad carrier, which is an employer under the Acts. That employer reports the employee service rendered to operate PBL's rail line to the Board.

In light of the information summarized above, the Board concludes that PBL's status as an employer under the Acts terminated as of August 31, 1992, the date that PBL last had an employee.

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