

MAY 22 2003

## EMPLOYER STATUS DETERMINATION

Penn Jersey Rail Lines, Inc..

This is the determination of the Railroad Retirement Board concerning the continuing status of the Penn Jersey Rail Lines, Inc. (PJRL) (B.A. No. 2379) 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). PJRL has been an employer under the RRA and RUIA with service creditable from August 15, 1997.

Mr. Richard Petrone, Director, Finance and Administration, SMS Rail Service, Inc. (SLRS) (B.A. No. 3385), reported that PJRL ceased operations on December 31, 2002, as the result of a merger with SLRS wherein SLRS was the surviving company and PJRL ceased to exist. Surface Transportation Board authority for the merger is set forth in STB Finance Docket No. 343001, decided January 10, 2003.

Based on the information summarized above, it is determined that Penn Jersey Rail Lines, Inc. ceased to be an employer under the Railroad Retirement Act and the Railroad Unemployment Insurance Act as of the close of business on December 31, 2002, the date on which it merged into SMS Rail Service, Inc., and ceased to exist.

Original signed by:

Cherryl T. Thomas

V. M. Speakman, Jr.

Jerome F. Kever