B.C.D. 02-21

MAR 0 8 2002

EMPLOYER STATUS DETERMINATION
Jaxport Terminal Railway Company, Inc.

This is the decision of the Railroad Retirement Board regarding the continued status of the Jaxport Terminal Railway Company, Inc., (B.A. No. 4568) 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).

Jaxport was held to be an employer under the Acts effective March 19, 1990. Jaxport's operations were taken over on July 27, 1996, by Talleyrand Terminal Railroad Company, Inc., a covered employer under the Acts since February 19, 1996 (B.A. No. 5565). Compensated service was last reported for Jaxport on July 27, 1996. The Board's attempts to contact persons associated with Jaxport have been unsuccessful.

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. (20 CFR 202.11)

Information in the file indicates that as of October 16, 1996, all assets of Jaxport Terminal Railway Company had been sold or would be sold to various individuals and/or companies to cover remaining indebtedness. The evidence of record indicates that Jaxport Terminal Railway Company no longer has the capacity to operate a railroad.

Accordingly, the Board holds that Jaxport ceased to be an employer under the Railroad Retirement and Railroad Unemployment Insurance Acts effective with the close of business on July 27, 1996.

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