

EMPLOYER DETERMINATION
Central New England Railroad Company, Inc.

This is the determination of the Railroad Retirement Board concerning the status of the Central New England Railroad Company, Inc. (CNER) 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).

In Surface Transportation Board Finance Docket No. 32769, decided February 28, 1996, CNER filed a notice to operate approximately 13.5 miles of an abandoned rail line between milepost 8.8 at Enfield, CT, and milepost 23.3 at East Windsor Hill, CT. The rail line is owned by the Connecticut Department of Transportation.

Information regarding CNER was provided by Mr. Walter A. Stapleton, General Agent for CNER. Effective October 15, 1995, CNER began rail operations. CNER first compensated its employees on November 15, 1995. Mr. Stapleton stated that CNER expects to be switching approximately 60-100 carloads per year. Mr. Stapleton also stated that in addition to operating the 13.5 miles of rail line, CNER will operate an additional 2.9 miles of rail line from East Windsor, CT to its interchange with Consolidated Rail Corporation (Conrail), B.A. No. 1321.

The evidence establishes that CNER transports property by railroad in interstate commerce in the United States. Accordingly, the Board holds that Central New England Railroad Company, Inc. is a rail carrier employer under the Railroad Retirement Act and the Railroad Unemployment Insurance Act effective November 15, 1995, the date it first compensated its employees.

Glen L. Bower

V. M. Speakman, Jr.

Jerome F. Kever