



## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36916]**

### **Northeast Atlanta Railroad, LLC—Lease and Operation Exemption with Interchange Commitment—Norfolk Southern Railway Company**

Northeast Atlanta Railroad, LLC (NEAR), a noncarrier,<sup>1</sup> has filed a verified notice of exemption pursuant to 49 C.F.R. part 1150, subpart D, to lease from Norfolk Southern Railway Company (NSR) and operate approximately 1.15 miles of rail line extending from the Stone Mountain Lead Switch at approximately milepost 620.64 on NSR's Greenville District, near Doraville, Ga., into the Doraville Industrial Complex (the Line).

According to the verified notice, NEAR and NSR have reached an agreement pursuant to which NEAR will lease and operate the Line.

This transaction is related to a concurrently filed verified notice of exemption in OPSEU Pension Plan Trust Fund, Jaguar Transport Holdings, LLC, & Jaguar Rail Holdings, LLC—Continuance in Control Exemption—Northeast Atlanta Railroad, Docket No. FD 36915, in which the filing parties seek to continue in control of NEAR upon NEAR's becoming a Class III rail carrier.

NEAR certifies that its projected annual revenues from this transaction will not result in it becoming a Class I or Class II rail carrier and are not expected to exceed \$5 million. NEAR also certifies that the agreement with NSR contains an interchange commitment that places monetary penalties on traffic interchanged by NEAR with a

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<sup>1</sup> NEAR mistakenly describes itself as "a Class III rail carrier" in the first sentence of its Verified Notice. As clarified in later text, NEAR would become a rail carrier when it "commences leasehold operation of the Line." (Verified Notice 3.)

third-party carrier. NEAR has provided additional information regarding the interchange commitment, as required by 49 CFR 1150.33(h).<sup>2</sup>

The transaction may be consummated on or after May 30, 2026, the effective date of the exemption (30 days after the verified notice was filed).<sup>3</sup>

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed by May 22, 2026.

All pleadings, referring to Docket No. FD 36916, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street, S.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on NEAR's representative, Stephen J. Foland, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to NEAR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: May 12, 2026.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.

**Tammy Lowery,**

*Clearance Clerk.*

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<sup>2</sup> The Board's governing regulation requires NEAR to submit, inter alia, "[a] confidential, complete version of the document(s) containing or addressing that provision or agreement." See 49 C.F.R. § 1150.33(h)(1)(ii). With its verified notice of exemption, NEAR filed under seal a partial version of the agreement with NSR that omitted the three exhibits to the agreement. On April 14, 2026, NEAR supplemented its verified notice by submitting an additional exhibit under seal. On April 30, 2026, NEAR again supplemented its verified notice with two additional exhibits under seal, thus providing a complete agreement.

<sup>3</sup> In a decision served April 29, 2026, the effective date of the exemption was postponed to allow for supplementation of missing exhibits. That supplementation was completed on April 30, 2026, making that the filing date of the verified notice.

