ATLANTIC NORTHEAST

RAILS & PORTS

operating railroads + ports, intermodal facilities, and government environment

Formal issue 13#05A 16 May 2013

*Article unchanged from e-bulletin.
**Blue type in article: changes from e-bulletin.

Blue header & table of contents: new article

REGIONAL

Jake Awards: Safety awards to 14 railroads.*

Paper mills: Efort to reduce damage to paper rolls in transit by all-stars including printers, railroads.*

NEW YORK

[No report.]

QUÉBEC

[No report.]

CONNECTICUT

[No report.]

MAINE

Mountain Division: Shippers, Pan Am, MERR discuss re-opening. Box on pellet mfr wanting rail.*

MERR: Some details on operation.*

MMA: Ross Rowland group suspends CNG re-engining effort, will switch to SD70s.*

 MASSACHUSETTS

MassDOT: Ten IRAP awards to MC, PW, FRTC, and Pan Am facilities or structures.**

GU: Wins CSXT award for rapid growth.

GU: Update on federal pre-emption cases,

NEW HAMPSHIRE

NHRTA: Talks with Pan Am not needed yet.*

MBRX/NHDOT: Deviation from terms of RFP.*

MBRX/NHDOT: Granite State questions process.*

MBRX/NHDOT: Interference in the process?*

MBRX/NHDOT: Councillor Chris Pappas views MBRX and Granite State operation.*

MBRX/NHDOT: Pan Am track condition.*

MBRX: Herbicide treatment precedes May startup.*

Pan Am/NHDOT: Railroad will fulfill contract.*

MBRX/NHDOT: Pan Am contract voted down.

RHODE ISLAND

PW: Newport dinner train operation for sale.*

VERMONT

[No report.]

MARITIMES

CN/Belledune: Departs Newcastle sub in August?*

Sydney: Update on coal transload facility.

Sydney: Granulated iron facility possible.*

Halifax: Hapag-Lloyd drops a call, replaces it.*

RAIL SHIPPERS/RECEIVERS

A cross-reference to companies mentioned here.

PEOPLE, POSITIONS, EVENTS

Jonathan Daniels moves from Oswego to Gulfport.

FROM THE PUBLISHER

MBRX coverage

In e-bulletin(o) of this period, I asked subscribers whether I was devoting too much space to the MBRX brouhaha, since MBRX is, after all, but one small six-mile railroad.

I received nine responses. Nine readers

responded. Seven said yes, continue; one said continue if I stopped the editorials*; and only one said I had too much coverage.

Chris Parker of the Vermont Rail Action Network provided an explanation for his support of continued coverage:

"Aside from the interest in this case in particular, I think the MBRX has larger significance. One reason is that the issues involved with removing an operator contracted to run state-owned track is something that goes beyond this line and may well come up in other New England states. We all need to know the details and cautions of this process. Another is that MBRX is providing very innovative service that could (should) be a model elsewhere. They are demonstrating that short-hauls can work. The quarry to concrete plant market is very large and well suited to railroads if they can package the service in a similar manner to MBRX. Lastly, the case focuses attention not just on MBRX, but on Pan Am, a railroad that serves most of New England."

I welcome additional comments.

- Chop Hardenbergh  Next formal issue 31 May
  * I apologize for permitting my editorial position to insert itself into the news coverage, and have corrected that here.

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**REGIONAL**

**JAKEY AWARDS 2012***

16 April, DC. THE ASLRRA NAMED 14 RAILROADS IN THE REGION AS THE WINNERS OF SAFETY AWARDS:

**Most Improved Safety Record**
New York & Atlantic Railway

**Best safety rate, 250,000 to 500,000 man-hours worked**
Buffalo & Pittsburgh Railroad, Inc.

**Jake Award with Distinction** (no FRA-reportable injuries)
Bay Colony (BCLR)
Fore River Transportation (FRTC)
Massena Terminal
Naugatuck (NAUG)
New England Central (NECR)
New England Southern (NEGS)
New York New Jersey (NYNJ)
Rochester & Southern
Washington County (WACR)

**Jake Award** (FRA-reportable injuries below industry average)
Buffalo & Pittsburgh
New York & Atlantic (NYA)
SMS Rail
Springfield Terminal (Pan Am)
St.Lawrence & Atlantic (SLR) {American Short Line and Regional Railroad Association website}

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**PAN AM: DAMAGE CONTROL***

26 April, Baltimore. VERSO PAPER JOINED OTHERS TO REDUCE PARTIAL DAMAGE TO PAPER ROLLS MOVED BY RAIL. Tammy Baker-Silver, manager of logistics and PS&D for Verso, spoke on a panel at the North East Association of Rail Shippers spring meeting here. She described “a success story in the making,” fashioned by an “all-star team” of paper producers, paper buyers, and railroads. The group, the 'Paper
Transit Damage Working Group¹, aimed at reducing the “increasing number of claims” filed by printers on behalf of publishers for damage to paper rolls.

A similar effort initiated in 2008 to look at water damage dropped the damage rate from 0.25 to 2012’s 0.1, a 60% reduction.

Baker-Silver said printers were receiving a significant number of damaged rolls in rail shipments. The players were paying “limited attention to high-volume, low-dollar claims which were eating printers’ lunch.” The printers were filing detailed claims, but absorbing the “additional costs of running damaged roles” on their printing machinery.

The situation has existed for 30 years, but each stakeholder has very little data about it, she said. The stakeholders had “complex or ugly relationships” with a failure to communicate “even among Verso mills.”

To resolve the situation, group members had to overcome the limited interaction between major railroads, paper mills, and printers. The group had:

Publishers. Hearst, Meredith, Time, and Conde Naste – the last sponsored the group's meeting in New York City. They each sent their manager of paper sourcing.

Paper Mills. Irving, NewPage, NorCell/Noske Skog¹ (Glenn Schicker), Resolute, Sappi (Mike Segal), UPM-Kymmenene, and Verso (Mike Partridge and Baker-Silver).


Railroads. BNSF (Denis Smith), CN, CSXT, NS (Scott McGregor et al), Pan Am (David Fink, Jim Patterson executive vice-president and chief executive officer, Doug Steward superintendent of transportation, and Jim Olson vice-president mechanical), and UP.

Problems
The mills were not recording or monitoring claim detail. Printers were not bad-ordering cars, and not opening car doors correctly. The railroads' claims department and mechanical departments were not communicating. As a result of all this, cars were not getting repaired.

Close examination of some lanes
As a test, the group asked the printers to provide data on some lanes. [See boxes for lanes and illustration of the kinds of metrics used.]

The Conde Nast count
Baker-Silver's presentation said Conde Naste claims were filed on 81% of all railcars received at RR Donnelly and Quad Wisconsin locations, and waste stripped from the rolls amounted to 180 tons in 2012. Some 13% of

¹ NorCell distributes Norsk Skog paper in the United States.
all rolls received had some damage.

**The change: more data**
Thus far, said Baker-Silver, railroads have begun to change the car reject streams. Pan Am has completed full integration with the Damaged and Defective Car Tracking system\(^2\) and has a major initiative underway about water damage. Printers began to share car quality information with car maintenance departments.

**“A work in progress”**
Baker-Silver emphasized that the group was still underway. Thus far, they have shared discoveries; engaged high-level railroad officials in the issue and established new business connections; increased the awareness of the publishing and fine paper printing industries as major rail customers; gained an understanding of “what is happening now” with each partner’s system; begun quantifying performance data; and shared some ideas to begin improving processes.

**Good service from Pan Am**
Noting that Mike Partridge from Verso told NEARS in spring 2012 that the rail service from Pan Am had improved significantly [see 12#05A], Baker-Silver said Pan Am service remains good. \({ANR&P\text{ coverage; ppt from NEARS website}}\)

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\(^2\) DDCT is a RailInc system. The website says: ‘For decades, railroads, car owners and repair shops each maintained their own manual processes for tracking, identifying and repairing damaged and defective cars. Because there was no standardized system, data retrieval could be time-consuming and complicated, and information was often unreliable. The Damaged and Defective Car Tracking (DDCT) system automates this manual process through an easy-to-use, centralized web-based application. Users have real-time access to information through a single standardized source and can easily update, retrieve and share information in a timely manner.’
MAINE

MERR: SOME DETAILS*

9 May, Standish. “WE HAVE AN EXCELLENT WORKING RELATIONSHIP WITH PAN AM,” said Don Marston, MERR general manager. Speaking personally and not as a representative of MERR at a confab on reviving the Mountain Division [see other article], he noted that MERR rails cement traffic from the Dragon Cement Thomaston plant a short distance to Rockland harbor whence every three days a cement-laden barge sails for Boston.

In addition, cement moves via Pan Am/SLR to Windsor, Quebec [see 06#11B], and in 2013 resumed moving it to Millis [see 13#01B] via Pan Am/CSXT/BCLR. Those moves and others earn the “excellent working relationship” honor.

Operating speeds
In response to questions about the Mountain Division, he said MERR maintains its track at Class III standards, which would permit passenger operation up to 59 miles per hour, but he operates at 45. Freight could run at 40, but for fuel conservation MERR operates at 25. {ANR&P coverage}

MDOT: HOW TO REVIVE AN ABANDONED LINE?**

9 May, Standish. SHIPPERS, RAILROADS, AS WELL AS LOCAL, STATE, AND FEDERAL OFFICIALS TALKED ABOUT THE MOUNTAIN DIVISION and how to revive it, at a meeting hosted by the Greater Portland Council of Governments. Many argued that a rail line revival could help the region economically, and summed up the meeting as “positive.”

Background
For some years, the 'Route 113 Committee' has looked at reviving rail service on the line between Westbrook and Fryeburg, last operated in the 1980s by Pan Am. In 2011, Larry Seidl, a trucker and member of the committee, estimated the line could produce 6,000 loads [see 11#04B] though a 2007 study by consultant HNTB called service 'highly problematic' [see 08#03A].

Traffic needed
Shippers and others at the meeting asked pointed questions, such as the amount of traffic needed to support rail service. Don Marston, who emphasized he was appearing on his own though he serves as MERR general manager [see other article], told the group that for short lines, a rule of thumb is 75 revenue carloads per mile per year. Since the Mountain Division, at least in Maine, is 50 miles long, the line would require 3500-4000 carloads a year using that standard.3

Dean Wood of F.E.Wood said he needed to move wood pellets to a port, probably Portland but possibly Searsport [see box]. [The annual total of 300,000 tons would generate 3000 carloads if it moved in 100-ton cars and weighed out before it cubed out. {editor}]

Nathan Wadsworth, an owner of K&W Aggregates in Brownfield, said he was unsure of the market for aggregates in the Portland area, because the area already has quarries.

Kate and Rick Eastman, who own Pequawket Water in Fryeburg, said they currently supply bulk water by truck; rail would give them access to more distant markets.

One person asked whether Maine shippers could use the rail to reach the new Eimskip container service in Portland. Mike Clements, Pan Am representative, told the group that a container service that close to the port would not make sense economically.

3 George Betke, a skeptic about the prospects for revival, noted in 2011 that the necessary figure depended on the commodity. The per car fee to move the two most-discussed, wood pellets and aggregates, is low relative to other commodities. See 11#04B.
Cost
The state owns the line. In the past decade, it has devoted considerable dollars to building a trail alongside the tracks, which remain. Caroline Pappas of GPCOG, who has staffed the Route 113 committee, noted that MDOT believes renovating the track would cost $400,000/mile, while creating the trail has cost $1 million per mile. She noted that the amount of money sought to rebuild the entire line, about $20 million, was “small in transportation project terms.”

Funding
Several speakers noted that the Legislature is considering four different bond bills which each have money for rail. Federal funds in the form of the TIGER V funding round are also available; applications are due in June. Phil Pomerleau, who as Roadway Utility Trailers manufactures open towable utility trailers, said the track project was “shovel ready”; it had not succeeded in earlier TIGER rounds.

Sidings
The meeting discussed the cost of a siding to a shipper. Marston ballparked the cost of a six-car siding at $100,000, urging the use of at least 100-pound rail, “if you want to use it for any length of time.”

Your editor said the cost could be borne by the railroad, by the railroad with the shipper paying it back via a per-car fee, or by the MDOT Industrial Rail Access Program, which would pay 50% of the cost to match 50% from local entities.

Pappas noted that the section already rebuilt, from South Windham to Westbrook, has 115-pound rail.

Could passenger traffic help?
The meeting heard Paras report on a study of the potential, which showed that Maine Eastern had 17,000 passengers in a recent year for excursions, while the Conway Scenic had 90,000. GPCOG was using a figure of 35,000 riders per year on an possible excursion service.

Another attendee reported a bus operator used 35 to 50 buses a day to carry Portland cruise ship passengers to outlying destinations, including the Mount Washington Cog Railway. The bus company did 35,000 passengers per year.

Whether an excursion would make money was uncertain. Marston noted that in his experience, the diesel engine used to provide heat and electricity to passenger coaches can use more diesel fuel than the prime mover pulling the train itself.

Safety
One person asked if a railroad would be concerned, operating next to an oft-used trail. Marston answered most definitely yes. However, he noted, a bill to increase fines for trespassing on tracks was killed [LD 363 killed in the Maine Senate].

Getting started
Shippers wondered what kind of deal a railroad would want before concluding an agreement to service the customer. Mike Clements, who handles sales for Pan Am, said: “We have to be pretty comfortable, almost [get] guaranteed traffic before we can make a long-term commitment.”{ANR&P coverage}

MMA: ROWLAND PROJECT ON HOLD*
7 May, Derby. THE CNG RE-ENGINING EFFORT AT DERBY SHOPS ENDED, at least temporarily [see 13#03A]. The company, Allegheny Creative Energy Solutions (ACES), planned to install engines running on compressed natural gas in four SD-90s, formerly UP. However, Ross Rowland, one of the principals, wrote this

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4 This comports with Pan Am's approach on other lines. For an NEGS customer, Pan Am said it wanted a guaranteed minimum [see 12#07B]. For a new trackage rights agreement, Pan Am told MBRX it would have to guarantee 5500 carloads a year [see 13#04B editorial].
day: 'We've decided to sell the 90's and use SD70's for the demonstrators as the 90's have such a lousy reputation with the railroads.' [Both are manufactured by the Electro-Motive division of General Motors. Editor]

ACES had started work on one of the SD90s. Ironically, Rowland pointed out, the prime mover is the prime problem with the SD90s, and ACES was going to replace it.

MORE ON F.E.WOOD
Dean Wood, president, supplied these details about the wood pellet manufacturing in the meeting and in a conversation afterward. Tony Wood, vice-president, provided additional details in an e-mail:

- The company aims to complete constructing a pellet plant in West Baldwin in late 2014/early 2015, and is finalizing the development process. It will draw wood from the surrounding Maine and New Hampshire towns, and make 25,000 tons a month.

- The company anticipates dedicating roughly 20,000 tons per year to local consumers.

- F.E. Wood is working on a deal with a European buyer for most of the plant output. Several parties in Portland are interested in storing and loading the pellets into bulk cargo ships. European pellet demand is set to jump from the current demand of 10 million to 20 million tons over the next few years. Most pellets will be imported from suppliers like F.E. Wood.

- If Wood could reach Searsport economically, it could load larger ships (50,000mT per vessel) because of the deeper draft, providing a significant logistical advantage for European customers.

- The buyer wants a total of 9 million tons a year, and has supply contracts for 4 million. It would like F.E. Wood to build two more plants, so Wood can supply 1 million tons a year. {ANR&P coverage and e-mail from Vice-president Tony Wood 15.May.13}

Rail
The website states: 'Efficient Logistics: F.E. Wood & Sons is working with the State of Maine, as well as the Department of Transportation and various Rail organizations to shore up support and funding for the revitalization of the Mountain Division Rail. This rail line runs right through our current site, and would provide access to our product from any market across the United States. Many utilities throughout the United States require this connection, so it is an important element of our project that we are concentrating on.'

Next steps
Rowland said the team hoped to continue to work in Maine, since “we like it there” and Joe Fearon is there. But the group is now raising further funds. {e-mail and discussion with ANR&P}

The four SD-90s are now listed for sale on the Ozark Mountain Railcar site. {website; MMA e-list}

Compressed natural gas
The ACES website extolled the virtues of CNG over liquified natural gas (LNG):

- Believed to be safer in rail applications, in particular around the locomotive-to-fuel-tender coupling.
- ACES fuel tender provides equal or better range compared to today’s locomotives.
- $0.30 - $0.60 / DGE cost advantage over LNG.
- A compressor refueling station requires less than 30% the capital investment of a liquefaction plant.
- Permitting and construction of a compressor refueling station can be accomplished in 12-16 months vs. 18-36 months for a liquefaction plant.
- It takes twice as much power to produce LNG as it does 3600 PSI CNG.
- Foreign markets currently place competitive pressure on price/availability of LNG (which is the only way to export natural gas).

Management Team
In addition to Ross Rowland, ACES has as CEO Paul Nichini, president of Rail Power Inc; Joe Fearon, vice president of engineering and former CEO of Morrison Knudsen of Australia, the inventor of over 60 US and foreign patents related to locomotives, rail and track equipment; Miguel Raimao, vice president of business development for ACES, formerly of Cummins Engine and Sturman Industries; Victor Alonso, mechanical engineering manager, former quality manager at American Motive Power; and Wolfgang Fengler, project leader, formerly with Honeywell and General Electric. {ACES website}

MASSACHUSETTS

MASSDOT: FREIGHT AWARDS**
30 April, New Bedford. THE STATE ANNOUNCED TEN IRAP GRANTS TOTALLING $2.85 MILLION, in a ceremony with Lieutenant Governor Timothy Murray and MassDOT Secretary Richard Davey here. Murray said: “As part of the Massachusetts State Rail Plan, we are focused on increasing access for freight rail service to support regional economic growth. By investing in these projects, we are upgrading the Commonwealth’s freight rail network which will not only attract new business and jobs, but also promote a more efficient transportation of goods and services.”

Davey said: “Our team has closely vetted the recipient proposals to assure conformity with local and regional transportation plans as well as economic development initiatives. We will monitor closely the completion and success of these projects.”

IRAP background
The MassDOT Industrial Rail Access Program was created through the 2012 Transportation Bond Bill to provide grants to railroads, rail shippers, and municipalities to obtain a public benefit gained through the improved use of the rail transportation network while facilitating economic growth through access to rail assets.

The IRAP recipients reflect a wide range of projects, which meet the program objectives of improved use of the rail network while facilitating economic growth. The total amount awarded is $2.85 million; the matching funds listed are covered by each applicant.

RECIPIENTS

MC: Church Street LLC & Frade’s Disposal, in New Bedford
Frade’s provides disposal services for commercial, industrial, and construction [waste as well as] paper shredding and recycling services to customers in southeastern Massachusetts. Funds will pay for a 3,000-foot railroad siding, a switch, a rail-served loading dock, and an improved private railroad crossing. The project has the potential to generate 800 carloads.
IRAP Award: $427,500 Match $285,000 Total Project Cost: $712,500

More. According to the Frade website, the company has existed for more than 60 years in southeast Massachusetts. Now located off 781 Church Street⁵, the access road currently crosses the MC line at grade.

MC: Maritime Terminal, in New Bedford
Maritime Terminal, a cold storage company in the Port of New Bedford, now receives over 100 refrigerated railcars per year at an offsite location and currently trucks the contents to the warehouse for storage. The funds

⁵ Astoundingly, the website offers no street address, but it does offer a map.
will rehabilitate an existing rail spur and loading dock at Maritime's warehouse. The project is crucial to properly serve this important rail market and to reduce the number of truck movements. IRAP Award: $65,889 Match $43,926 Total Project Cost: $109,816

More. Maritime was using the Sid Wainer siding to the north [see 05#05A]. The new track would run out of the New Bedford Yard [see map in 04#05A] to the Maritime warehouse about 500 feet. The warehouse at last visit did have a loading dock. {editor}

MC: Covanta in Rochester
The Covanta SEMASS in Rochester is a waste-to-energy facility that processes approximately 1.1 million tons of municipal solid waste that is generated in eastern Massachusetts. This project will install a switch and approximately 400 feet of track into an existing truck loadout bay on the SEMASS facilities tipping floor. The project will allow Covanta SEMASS to continue shipping 40 rail cars per year of non-ferrous metals as well as potentially 350 rail cars per year of other metals. IRAP Award: $167,040 Match $111,360 Total Project Cost: $278,400

More. Most, if not all, of the rail-delivered waste is gathered on Cape Cod at two loading facilities. In May 2012, SEMASS was discussing receiving granular limestone. In 2008, SEMASS added outbound scrap steel to its traffic [see 08#12A]. {editor}

FRTC: MWRA in Quincy-Braintree
This project will replace a railroad bridge with a culvert on the Fore River Railroad in Braintree. The bridge originally served a cattle crossing below the railroad, which is no longer needed and is functionally obsolete.
The Fore River Railroad is a 2.7 mile shortline in Quincy and Braintree that is wholly owned by the Massachusetts Water Resources Authority (MWRA). The railroad serves freight customers in the Fore River Shipyard.
IRAP Award: $342,000 Match $232,244 Total Project Cost: $574,244

More. The Fore River Railroad is owned by the state via the Massachusetts Water Authority Board. In 2001, it awarded operating rights to the Fore River Transportation Company (FRTC), a common carrier railroad owned by Twin Rivers Technologies. FRTC serves Twin Rivers and MWRA, most recently winning the bid in 2011 [see 11#008B].

The bridge, which permitted cattle to cross through the rail embankment, lies off John Paul Circle in Braintree. {editor}

PW: Worcester bridges
This project will replace two bridges with a new structure in Worcester. The project is required to maintain rail service to Cargill, a Worcester-based PW customer, as well as preserve access to Midstates Packaging, another Worcester-based customer, for transloading operations. Without the installation of the replacement bridge, PW will neither be able to provide rail service to Cargill, which will need to use trucks or relocate their operation, nor will they be able to provide rail traffic to Midstates for transloading. The replacement bridge will also carry the road necessary for trucks to access the transloading tracks and to complete transloading.
IRAP Award: $313,214 Match $208,809 Total Project Cost: $522,023

More. Major PW traffic passes through this area: the intermodal traffic handled at Intransit Container, as well as the Worcester-Providence main line. One spur off the main line (switchpoint facing compass south) runs between the massive warehouse recycling building and the new Route 146. Just north of the railroad bridge over the Blackstone River, the spur breaks into two tracks where Mid-States does rail to truck transload. The road bridge carries a truck road for access to the transloading spots on the spur. From the spur a third track leads off a switch located just south of the bridge, south into Cargill Sweeteners. A Google aerial view shows a 20-car string of what appear to be covered hoppers for Mid-States, and seven tank cars (with more possibly inside the building at Cargill Sweeteners). {editor}

The single replacement bridge was constructed in 2009, but funds to emplace it were lacking. {text of letter from PW spokesperson Marie Angelini to MassDOT 4.Jan.13}

NECR: Sherwood Lumber in Palmer
Sherwood Lumber does wholesale distribution, third-party transload, and third-party logistics operating out its facility in the Palmer Industrial Park. This project will construct a new rail siding to increase the number of cars served simultaneously, from three [a Google photo shows only one short spur, and one centerbeam lumber car on the main line of the park] to 20, as well as make loading dock and laydown area improvements. The project is expected to increase efficiency by 30%, reduce operating costs by 30%, and potentially increase carloads by 100%.
IRAP Award: $500,000 Match $1,175,000 Total Project Cost: $1,675,000

Move to Palmer. Sherwood, headquartered in Islandia, New York, for many years maintained a yard in New London served by NECR which also received lumber by ship. In 2010, the Sherwood owner bought the former Quaboag yard in Palmer [24 3rd Street, see 10#07A] and moved there by 2011 [see 11#03B Rhode Island], so that no lumber was moving over New London [see 12#05A].

Two other major warehouse-transloads exist nearby: Maple Leaf (14 3rd Street, handling paper) and WTG [formerly Cross-Globe, former Lydall] in Monson. TransPlastics, bought by Maple Leaf in 2008, 

6 In January 2012 CrossGlobe announced it would transfer the Moncton facility to The Walsh Transportation Group (WTG), which was already doing marketing for CrossGlobe. CrossGlobe stated the move would allow us to focus our efforts exclusively on our port-based logistics strategy. {CrossGlobe announcement 30.Jan.12}
transloads pellets directly from a team track at the end of the park main line. Also the park has American Dry Ice (inbound carbon dioxide) on Second Street.

**NECR: Amherst, Massachusetts**

This project will improve the main line tracks of the New England Central Railroad in Amherst. The project is located near Amherst's water supply and the railroad suffered two derailments in this area in 2011.

IRAP Award: $500,000 Match $1,052,597 Total Project Cost: $1,552,597

More. The line will receive 32,000 linear feet of new 115-pound continuously-welded rail in the NECR main track at Amherst from milepost 82 to milepost 85, which will increase rail safety and eliminate current temporary speed restrictions in this area. {e-mail to ANR&P from GWI's Charles Hunter 10.May.13}

**GU: Hopedale Yard**

This project will expand and make improvements to Hopedale yard by constructing a switching lead and several sidings throughout the yard. The Hopedale yard, as operated by GU Logistix, serves as a warehousing and distribution center for the building materials market. The current operations are constrained by the available space and trackage after only two months of operation.

IRAP Award: $221,700 Match $330,300 Total Project Cost: $552,000

**Pan Am: Fitchburg Redevelopment Authority**

This project, which the Fitchburg Redevelopment Authority applied for, will rehabilitate and reconnect a rail siding into the Fitchburg Industrial Park. This siding will be used by Omnova, which needs the rail spur to remain competitive in their industry.

IRAP Award: $309,900 Match $249,959 Total Project Cost: $559,859 {text of MassDOT announcement; 'more's added by editor}

**GU: AWARD**

early March, Jacksonville. *CSXT GAVE THE RAILROAD AN AWARD AS ONE OF ITS FASTEST-GROWING SHORTLINES*, during the 23rd Annual Short Line Workshop here. “When I visited the G and U five years ago, the railroad operated only in Grafton and had two customers,” said Tony Giobbie, CSX’s Short Line Development Manager, Northeast Region. “So this isn’t a fluke, it has been a gradual expansion that’s been underway for years.” Giobbie noted that GU increased freight volume by 137% in 2011. {*Grafton Patch* 23.Apr.13}

**GU: PRE-EMPTION MATTERS**

14 May. *AN UPDATE TO THE TWO FEDERAL PRE-EMPTION MATTERS:*

**Town of Grafton**

In Grafton, GU seeks to open a propane transload. The Town has asked the federal district court to bar the facility. On 29 March, GU asked the judge, who is taking his time making the decision, to act before the spring bidding season for propane [see 13#04A].

As of 14 May, the judge had not made public his decision. {court website, case 4:12-cv-40164}

Town vote. On 13 May, voters at the Grafton Town Meeting rejected an article which proposed a temporary taking by eminent domain of a portion of Westboro Road for a road construction and drainage easement. Dennis D. Flynn of North Grafton alleged that the road repair project was designed to benefit construction of the GU propane facility. Selectman David Ross, board chair, said he was offended by the suggestion that town officials weren’t transparent in the purpose of the taking. {Susan Spencer in Worcester *Telegram & Gazette* 14.May.13}
Town of Upton
In Upton, GU operates a transload. While the Town itself has refused to expend legal fees or time arguing to the STB that it and the state have the authority to regulate the transload, because federal statutes pre-empt local regulation, seven residents filed a petition with the Board [see 12#08B] requesting a ruling that the transload is not pre-empted.

On 24 January the Board agreed to decide the matter. On 8 May the Board denied the residents' request to obtain documents from GU. Petitioners have until 20 May to respond to GU's reply to their initial petition. {STB website, decisions page, FD 35652}

NEW HAMPSHIRE

NHRTA: COMMUTER RAIL?*
10 May, Concord. NO NEED TO OPEN DISCUSSIONS ABOUT COMMUTER RAIL YET EXISTS, noted Tom Mahon, the chair of the New Hampshire Rail Transit Authority. The Authority is “trying to get our two studies off the ground” [see 13#02A]. An initial stakeholder meeting will occur on 14 May, where Pan Am is expected to attend.

Mahon cautioned that the study will look at all transportation alternatives, and until it hones in on the viability of commuter rail, discussions with Pan Am would be “premature.” {ANR&P discussion}

URS study
At the March New England Railroad Club Expo, consultants URS made available a fact sheet about the Capitol Corridor project which noted URS 'is conducting a transit Alternative Analysis (AA)....To complete the AA, URS is working closely with [MBTA and Pan Am] to define the infrastructure upgrades that would be necessary to support rail service.....

'This planning effort will explore....
- commuter rail service between Nashua/Manchester and Boston.
- intercity rail service between Concord and Boston.
- improved bus transit along and within the Corridor, including potential bus-on-shoulder operations.
- air-rail link to Manchester airport.' {text of sheet}

Pan Am will talk
Cyndi Scarano, Pan Am spokesperson, wrote on 10 May: 'N]o one has contacted us to discuss any relationship between commuter rail in New Hampshire and the proposed agreement for Pan Am to operate the Hillsborough Branch. Nevertheless, as we do with NNEPRA, Amtrak and the MBTA, we are always willing to discuss passenger rail opportunities with the appropriate representatives of the States in which we operate.' {e-mail to ANR&P}

Previous negotiations
In 2009, Pan Am and NHDOT were discussing reviving passenger rail until Pan Am pulled out, saying that NHDOT should have put the operating agreement for the Hillsborough branch out to bid, rather than renew it with Leishman [see 09#07B].

MBRX/NHDOT: DEVIATION FROM RFP*
4 April, Concord. THE AGREEMENT REACHED BETWEEN PAN AM AND NHDOT DEVIATES FROM THE TERMS OF THE RFP. The agreement provides terms different from those required by the RFP [see 13#04B for more on the proposed agreement]. The RFP stated, as was underscored by the 48 answers provided during the proposal period:
Period of agreement
Answer #2 stated: 'The operating agreement will be for a period of ten years....' The agreement, however, shortened that to 2.5 years.

Requirement to provide service
Answer #10 stated: 'The new Operator shall provide adequate service to satisfy the existing and future customers....' The agreement changed that to say essentially 'provide service if agreement can be reached on rates.' {text of agreement and of RFP answers}

MBRX/NHDOT: SHIPPER QUESTIONS PROCESS*
30 April, Milford. **GRANITE STATE CONCRETE NOTED PAN AM HAS 'NO ESTABLISHED PLAN...TO PROVIDE ANY SERVICE AT ALL',** in a letter from principal John McLellan to Executive Councillor Colin Van Ostern [see box]. {text of letter}
MBRX/NHDOT: A VIEWING
6 May, Milford-Bennington. EXECUTIVE COUNCILLOR CHRIS PAPPAS WAS GIVEN A TOUR OF THE MBRX TRACK, by owner Peter Leishman. Pappas also saw the two Granite State facilities and the Lyndeborough trestle.

Councillor Colin Van Ostern, extended the same invitation, declined. \{ANR&P discussion with Leishman 7.May.13\}

MBRX/NHDOT: PAN AM TRACK
6 May, Milford. A PHOTO OF PAN AM TRACK ON THE HILLSBORO BRANCH was sent to Executive Councillor Debra Pignatelli by Milford Selectman Mark Fougere. \{e-mail to Pignatelli\}

According to Peter Leishman, the photo appeared in the Amherst/Milford ‘Town Planner’. \{e-mail to ANR&P 7.May.13\}

According to the recent 2 May speed restriction summary, speed on the entire Hillsborough Branch used by Pan Am is limited to 5 miles per hour, though Pan Am Timetable #2 lists it at 10 miles per hour. \{text of documents\}

NHDOT/MBRX: MARKET POWER ABUSE?*
7 May, Milford. THE STB WARNED OF A RISK OF PAN AM 'MARKET POWER ABUSE', MBRX owner Peter Leishman told NHDOT Commissioner Clement in a letter this day.

Dear Commissioner Clement:

While I know that Attorney General Michael Delaney copied you on his letter dated January 28, 2013, regarding Milford-Bennington’s (MBRX) common carrier obligation. I believe some expansion of his comments are warranted. It appears to me that there is some misunderstanding of the rights and obligations of the parties and of federal regulatory procedures.

More than twenty years ago MBRX entered into an agreement with the State of New Hampshire that prescribed

\textsuperscript{7} Home of former Pan Am leader David Andrew Fink.
the administrative rights and obligations of the parties with respect to the line. Those included such things as insurance coverage to protect the State, maintenance obligations also to protect the State's asset and payment provisions. That agreement, and successor agreements, remained in place defining the administrative rights of MBRX and NHDOT for more than 20 years until the agreement was inexplicitly canceled by the Department.

MBRX has voluntarily continued to abide by the agreement including making attempts to pay the State's prescribed fees that the Department has refused to accept.

Also 23 years ago MBRX applied for and received a Certificate of Public Convenience and Necessity from the Federal Interstate Commerce Commission (since succeeded by the Surface Transportation Board - STB). MBRX could not have operated the rail line without ICC authority and MBRX cannot cease to operate, which we have no interest in doing, without STB permission. Further no other entity has the right to force MBRX to cease operations.

Once the certificate was granted the MBRX came under a very broad regime of federal regulation that preempts others including states from regulating in areas such as service, rates, car supply and many other aspects of rail operations. What many states also fail to understand is that the federal regulatory structure administered by the STB is heavily focused on protecting the rights and needs of shippers and it is for that reason that the STB and its predecessor have on several occasions intervened on this line. Over the years Pan Am has taken actions that have threatened the ability of MBRX to serve its customer Granite State.

In any administrative procedure regarding service by MBRX or any other railroad, the STB will not only solicit the views of the shipper but will be heavily guided by their interests. In the case of our line, they will be particularly interested in whether the parties have actively worked together to generate rates that reflect the need of the shipper. Moreover, it is well known that Granite State has limited options for moving its stone because the communities through which they would truck material strongly support the use of rail. While many rail commodities are now exempt from federal regulation because the STB has determined that the market is sufficient to regulate rate activities, the STB has been mindful of the special circumstances surrounding the movement of stone for Granite State.

In fact, when Pan Am was attempting to interfere with the movement of trains by MBRX in 2004, the STB informedly intervened and remedied the situation, publishing a decision that in part refused a Pan Am request to exempt the Granite State Concrete stone move from regulation as follows:

"BM/ST urges us to reinstate the class exemption that was partially revoked in the September 2003 Decision because Granite State can ship by truck. But the revocation of the exemption reflects the Board's finding that the limitations in Granite State's permit relating to stone excavation and crushing deprive it of the competitive service options upon which the class exemption is predicated. See September 2003 Decision, slip op. at 7. While BM/ST debates the extent of these limitations, the record makes clear that Granite State's truck service options are severely restricted. See Complainants' Opening Statement, Jan. 8, 2004, V.S. of John G. MacLellan, III, at 3; Complainants' Reply Statement, Feb. 9, 2004, V.S. of John G. MacLellan, III, at 4-8."

"Given that circumstance and all that has transpired recently between complainants and BM/ST, we will not reinstate the exemption at this time. Indeed, while BM/ST's conduct toward complainants has not risen to the level of violating our statute, the record of this conduct shows that Granite State does merit immediate access to the Board's processes to protect the shipper from the risk of market power abuse. In particular, complainants should be able to seek prompt relief if BM/ST were to impose unworkable restrictions. Thus, we will not reinstate the exemption at this time." (Docket No. 42083 - Service Date September 24, 2004, emphasis added) [See 4#09B.]

The issue of rates and service is critical for a stone move over a mere 6 miles. The railroad functions as an integral part of the customer's supply chain. Rail service and rates are critical to the success of the rail operations as well as the stone operation. Over the many years, MBRX has worked with Granite State to develop services and rates that are competitive, that fairly compensate the railroad and that are truck competitive. The railroad functions within the customer's facilities at the origin and the destination and could not do so without meeting rigid training obligations for each facility.

I cannot conceive of how NHDOT can recommend an agreement in which none of the service or rate issues have been addressed by the applicant or even discussed by with the customer. Further, as mentioned above, the efforts of the railroad to work with a shipper are a critical component to any STB action on this line.

Should the G&C accept your recommendation to select Pan Am/Springfield Terminal (Granite State and I sincerely hope they do not) they should be aware that no service can commence until Pan Am gains approval from the STB to operate and an action by the NHHDOT has been approved to remove MBRX from the line.

It is my understanding that NHDOT has rented out this obligation to Pan Am to file an adverse action to force MBRX to cease providing a service. I should make it clear that there is no obligation in MBRX's contract with NHDOT to agree to such an adverse action and MBRX and its customer Granite State will oppose an effort by NHDOT to stop a service that has served the public and the State so well for so many years.
Finally, I wish to state equally clearly that MBRX strongly desires to work with the Department to continue to provide competitive rail services that are strongly endorsed by Granite State Concrete. Your staff is well aware of the difficult relationship that has existed between MBRX and Pan Am over the past 26 or more years and of efforts made by Pan Am to interfere with MBRX’s efforts to provide quality service. Your staff is also aware that the State property is being maintained by MBRX to a level that dramatically exceeds minimum levels established by our “contract”.

Since any change in the current operating status of the Wilton to Bennington section of the Hillsboro Branch will require involvement and action by the STB, I have been in contact with the STB’s Office of Public Assistance, Governmental Affairs and Compliance and would recommend that you or your staff make a similar contact. I am also taking the liberty to copy the STB with this correspondence.

We sincerely look forward to working with you and the Department as we seek ways to provide the same quality service we have delivered for so many years.

Sincerely,

Peter Leishman

MBRX/NHDOT: INTERFERENCE IN BID PROCESS?*

7 May, Merrimack. NHDOT LEADERSHIP APPARENTLY INTERVENED IN THE SELECTION COMMITTEE PROCESS, per an account given by one of the members of the committee.

Timothy Thompson, the director of the Town of Merrimack Community Development Department and a member of the Review Committee [see “explanation” of committee role in 13#04B], related the following:

“From my perspective, I am a non-rail person, and was probably on the committee to provide a community development perspective. In my recollection, we looked at the two proposals, and we had an incomplete proposal from the current operator, and a weak proposal from Springfield Terminal. We asked for clarifying information from both. We got nothing back from the existing operator, and did get responses from Springfield Terminal.

“I do a lot of RFPs in my position, and I was surprised that both proposals were not really responsive to the RFP.”

Told that MBRX never received a request for clarification, Thompson said, “DOT was doing the coordinating.”

{ANR&P discussion 7.May.13}

Concurrence from other sources

Sources within NHDOT, as well as another member of the Review Committee, tell essentially the same story. {ANR&P discussions 7 & 8.May.13} Apparently the leadership sent the Review Committee’s request for further information to Pan Am (Springfield Terminal’s parent) but not to Peter Leishman.

Leishman said on 7 May that he never received a request for further information, despite sending letters at least monthly asking about the status of the review.

Later results

The department announced in August 2012 that they were negotiating with one party [see 12#08B]. Leishman immediately said he was not the party. {ANR&P discussions with Leishman} Clement said on 1 May 2013 that he had turned over the negotiating to the Attorney General [see 13#04B] so the parties took from August to April to complete negotiating the contract. {editor}

MBRX-NHDOT: PAN AM RESPONSE*

10 May, North Billerica. PAN AM WILL ‘UTILIZE THE ENTIRE LINE TO GROW BUSINESS WHERE FEASIBLE’ if the contract to operate the Hillsboro Branch is approved, wrote Executive Vice-president Cyndi Scarano, ‘while at the same time increasing revenue to the State for this valuable asset. Should infrastructure work be necessary to access potential customers, then as always we would need to analyze the costs and
benefits of such investment, as any railroad would.'

**Current track in poor condition**

Scarano was responding to a question wondering if NHDOT would hold Pan Am to a commitment expressed in the proposed Agreement section 3.2.2.1. In listing maintenance obligations, that section states that 'all other remaining track from MP 19.50 in Lyndeborough to MP 62 in Bennington shall be maintained at FRA Class 1 Track Safety Standards'.

The agreement goes on to say that 'The Contractor is responsible to perform all work and routine maintenance…and in any event shall expend no less than twenty percent (20%) of Annual Gross Operating Revenue on actual track maintenance….'

In section 3.3.2, the Agreement states: 'The Contracting Officer shall...have the authority to direct the Contractor through its General Manager or his designee to remedy deficiencies as per FRA Class 2 Track Safety Standards between MP 16.36 in Wilton to MP 19.50 in Lyndeborough, and FRA Class 1 Track Safety Standards between MP 19.50 in Lyndeborough to MP 62.00 in Bennington...'

However, current operator Peter Leishman describes the last five miles, from Muzzey Hill Road in Greenfield to a half-mile beyond Monadnock Paper in Bennington (MP 62.00), as nearly impassable. “No train has operated on the last five miles since 1986.” Leishman also estimated the cost, in 2003, to bring these five miles to Class 1 as more than $520,000.

Asked whether the clause made sense, as the track currently has no customers on it. Scarano replied, 'We negotiated in Good Faith concerning the contract and we intend to meet all of our obligations if the contract is approved.' {e-mails to ANR&P 10.May.13}

**MBRX-NHDOT: MAY STARTUP**

10 May, Wilton. *FOR UPCOMING HERBICIDE TREATMENT MBRX WORKED WITH A CONTRACTOR* 'ditching and clearing road crossings to allow for the annual treatment of herbicide tomorrow from Wilton to Greenfield.' MBRX plans to start serving Granite State Concrete in May.

**State not paying its share**

Leishman informed Executive Councillor Debra Pignatelli on 14 May: 'This treatment is required by the State (DOT) and Federal Railroad Administration (FRA) for the proper upkeep and maintenance of the track. Except for the last two years both the State and MBRX shared the cost of this treatment. However, due to the fact that the MBRX has operated over the State owned portion without a contract since 2011, the MBRX has paid the entire cost of these essential treatments totalling nearly $4,000.00 annually.' {e-mails to ANR&P from Leishman}

**MBRX/NHDOT: VOTE**

15 May, Concord. *THE GOVERNOR AND COUNCIL VOTED 3-2 AGAINST THE PROPOSED AGREEMENT WITH PAN AM*. Councillors Pignatelli, Burton, and Pappas voted against the agreement, Sununu and Van Ostern for it. Peter Leishman, David Fink, Cyndi Scarano, Commissioner Chris Clement, Deputy Commissioner Mike Pillsbury and others attended. [More after I watch the video, which should be available on 16 May on the Council website.]

**RHODE ISLAND**

**PW: DINNER TRAIN FOR SALE**

10 May, Newport. *THE NEWPORT DINNER TRAIN OPERATION IS FOR SALE*. A listing on Sterling Rail shows 8 cars and the track lease included, and stating annual ridership at 26,000. Price $975,000. {Sterling website} PW has freight operating rights on the Aquidneck Island line. {editor}
MARITIMES

CN/BELLEDUNE: TRACK ABANDONMENT*
10 May, Saint John. **CN WILL MEET WITH PROVINCIAL OFFICIALS ABOUT THE FUTURE OF THE CATAMOUNT-IRVCO PART** of the Newcastle Subdivision [see map and 12#08B]. CN official Sean Finn said in August 2012 the railway would abandon that part of the line, and that it line needed $50 million in improvements.

Recently he said CN legally has to make a decision about the service by August, but it may decide sooner. Carloads on the line need to double for the line to profit.

**Empty cars needed on timely basis**
Hal Raper, of Miramichi Lumber, said he's skeptical the northern line has a future. “A volume is something we could commit to if we could get assurances that they would have the cars here on a timely basis,” he said. {CBC 20.May.13}

SYDNEY: COAL TRANSLOAD
9 May. **PROVINCIAL ENERGY VENTURES IS FACING HIGHER CONSTRUCTION COSTS AND SOFT COAL PRICES**, both significant challenges, for its coal transshipment facility [see 13#04A], PEV Vice-president Mike McLean told a Sydney Ports Day gathering. It would move 5 million tonnes annually.

PEV has completed about 95% of the work required to prepare a site for material dredged at the wharf so the berth can take 160,000-tonne cape-sized vessels. To handle the weight of the coal pile planned. PEV is
looking at either expanding the present pier or constructing a one- or two-finger pier.

McLean said redesigning the present wharf or building new piers costs “far north” of the original $75 million capital budget, perhaps hitting $125 million. “Plus the coal market, both thermal and metallurgical, is soft at this moment and future prices do not look strong,” he said.

He did state that PEV plans that the facility become operational in early 2015. {ANR&P coverage of presentation}

After the presentation, McLean declined to comment about project details or about a possible delay if coal prices remain soft and construction costs climb. He spoke only at Ports Day to give an update, and added that despite the challenges PEV is “committed to the project.” {discussion with ANR&P’s Tom Peters 9.May 13}

Nav aid update
 Barry Nisbet, Coast Guard’s navigation review officer, told the Ports Day audience that his agency has begun a redesign of the navigation aids through the Sydney entrance channel to permit cape-size vessels [see 12#08B], because the nav aid alignment changed when the harbour channel was dredged. [See 11#12A.]

Coast Guard surveyor Kevin Levy told the gathering that two sets of nav aids need realigning and a third new set needs to be installed. The cost of the project is $1.5 million but it was not stated who will pay that cost. Levy said it is hoped the work will be done to meet the startup date for PEV’s operation. {ANR&P coverage}

IN APRIL, TONNAGE INCREASED FOR THE 4TH CONSECUTIVE MONTH. [More in a future issue.]

SYDNEY: IRON ORE FACILITY?*

9 May. THE FIRST DRAFT OF A SITE FEASIBILITY STUDY TO LOCATE A RUSSIAN GRANULATED IRON FACILITY IS COMPLETE. Patrick Mahon of CBCL Limited, an engineering and environmental design consulting firm, told Sydney Ports Day that his firm has submitted it to International Iron Beneficiation Group Limited (IIBG) which is looking at Sydney, Nova Scotia as a potential location for the facility. {coverage by ANR&P}

IIBG looking
IIBG, an affiliate of OAO Severstal, a Russian steel and ore-mining company, is considering a number of North American locations for the facility: Sydney, Sept-Iles, Minnesota, Kentucky, and Indiana. The plant would convert superfine iron ore into metallic iron pellets or briquettes which would be used for steel production, mostly in electric arc furnaces as a substitute for scrap metal. {Severstal website 19.Mar. 13}

Sydney site promising
Mahon listed advantages of the Sydney site: good highway access, good water and sewer infrastructure, and good access to the port of Sydney. The recent dredging of the harbour entrance channel was also a consideration. [See 10#12A.]

IIBG is eyeing North America because steel production in the United States, the third-largest steel manufacturer in the world, is expected to increase.

He said if the company located in Sydney it would seem only logical to bring in iron ore by ship. However, the project was at a very preliminary and “very sensitive stage” and he was not in a position to discuss details. {Mahon presentation and discussions with ANR&P correspondent Tom Peters 9.May.13}

HALIFAX: CALL ENDING*

30 April. HAPAG-LLOYD WILL PHASE OUT ITS ASIA-MEDITERRANEAN-NORTH AMERICAN EAST COAST EXPRESS SERVICE (AEX) which calls Halifax. {Hapag-Lloyd notice 30.Apr.13}

The carrier said it will transition to new products. Apparently that refers to the new AZX service to be
operated weekly by the new G6 Alliance, which includes Hapag-Lloyd. The AEX service, which calls twice weekly at the Ceres operated terminal in Halifax, is operated by the Grand Alliance of Hapag-Lloyd, OOCL and NYK Line. The G6 includes those three carriers plus APL, Hyundai Merchant Marine and Mitsui O.S.K. [See 13#03B.]

A startup date for the new AZX service into Halifax has not been determined nor has it been decided if the new service will call at Ceres or Halterm. Last Halifax call for the AEX is 12 June. {Andrew Macdonald allNovascotia.com 7.May.13}

**RAIL FREIGHT FACILITIES**

Described in this issue.
Frade’s Disposal (MC, Massachusetts) $ for siding.
Granite State Concrete (MBRX, New Hampshire) Service in May.
Irving Paper (NBSR, New Brunswick) Reducing in-transit damage. See Regional.
Maritime International (MC, Massachusetts) $ for connection.
NewPage (Pan Am, Maine) Reducing in-transit damage. See Regional.
Omnova (Pan Am, Massachusetts) $ for siding.
Sappi (Pan Am, Maine) Reducing in-transit damage. See Regional.
SEMASS (MC, Massachusetts) $ for additional siding.
Sherwood Lumber (NECR, Massachusetts) $ to expand siding.
Verso Paper (Pan Am, Maine) Reducing in-transit damage. See Regional.
F.E. Wood (? , Maine) Wants to rail wood pellets.

**PEOPLE, EVENTS**

Jonathan Daniels was named executive director of Port of Gulfport, Mississippi, returning to the deep South. Daniels has served as executive director since 2007 at the Port of Oswego. Prior to that he was chief executive officer of Eastern Maine Development Corporation, director of the office of economic and business development for the City of Bangor, Maine, and managing director of the Port of Greater Baton Rouge. {April Havens in gulflive.com}*
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Stories not updated for the issue are noted with an asterisk. I urge readers to look at the issue’s updated stories (those without an asterisk).

Two asterisks indicate the story is updated with the blue font showing what is updated.

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**Purpose**
*Atlantic Northeast Rails & Ports*, née *Maine RailWatch* (1994-1997) and later *Atlantic RailWatch* (1998-1999), is dedicated to the preservation and extension of the regional rail network. The editor believes that publishing news on railroads and ports spotlights needed action to preserve the rail network. The publication also imbues the region with a sense of an interdependent community, employing the network to move rail and port traffic. 'No railroad is an island, entire onto itself.'

FORMAL E-ISSUE