*Article unchanged from e-bulletin.

**REGIONAL ISSUES**

Agway: Sells facilities to Cavendish and Feed Commodities.

MMA: Alleviating a shortage of power.

CSXI: Free days cut for international containers.

Cousineau: Log shipments expanding.

Federal omnibus bill: Money for Maine, Massachusetts, and Rhode Island.

Federal assistance to smaller railroads: Tax-credit bonds, backed by NE senators, not an option.*

High-speed rail: No rail analysis for CLF yet.*

D&H: CPR does not yet have a plan for its future.*

**CONNECTICUT**

PW: New crane shipped to Electric Boat.

**MAINE**

Amtrak: Fourth quarter ridership up. Future subsidy uncertain.

MERR: Not leasing Lower Road north of Gardiner.

**MASSACHUSETTS**

BCLR: Mid-City Scrap redoing its spur.* Much detail about MBTA’s request for proposals on the Millis lines. Acquisition of Dartmouth Industrial Track from CSX complete.

CSXT: Submission date for bids on New Bedford rail postponed.* West Springfield railyard meeting.*

GRS: Filed to abandon Tewksbury branch. Intermodal train for Ayer is growing.

MBTA: No engineering contract for Worcester commuter service yet. Town of Bradford seeks halt to idling locomotives.

Boston: Massport offering former Eastern Minerals parcel for lease. Mystic Wharf parcel bids in, but no info yet.

**NEW HAMPSHIRE**

GRS - Portsmouth: PUC has draft decision on Schiller Station biomass boiler.

**RHODE ISLAND**

MBTA: Extension of service to Wickford by end of 2006? Pawtucket layover done by end 2004?

VRS: Arguing with state over delay in STB decision on Wallingford salt facility. Mini-editorial on misplaced VTR optimism about speed of decisions.

**VERMONT**

MMA/NBSR: More on new intermodal service for Sunbury.

Halifax: Melfi Lines expands service.* Containers set record in 2003.*

**RAIL SHIPPERS/RECEIVERS**

A cross-reference to companies mentioned here.

**PEOPLE, POSITIONS, EVENTS**

John Kennedy, Dick Currier.

**FROM THE PUBLISHER**

Favorite story

MBTA’s invitation to bid on the Millis lines, now operated by Bay Colony, has drawn some interesting
names. The T has the sense not to ask for major
capital improvements, as did EOTC for the
MCER-operated Ware River Secondary. Here’s
hoping that the T will reach agreement quickly
with whomever it selects in April.

- Chop Hardenbergh       Next issue 11 February.

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**REGIONAL ISSUES**

**AGWAY, CAVENDISH,
AND FEED COMMODITIES**

**Agway and bankruptcy**

Agway, an agricultural cooperative owned by 69,000 farmers in the Northeast, provided supplies to its members at good prices. Based in Syracuse, it was formed in 1964 through the merger of three regional farm cooperatives, dating from the 1920s. On 1 October 2002, Agway filed for Chapter 11 bankruptcy protection, reporting sales in fiscal 2002 of $899.9 million, a 21% decline from 2001, and a net loss of $98.2 million. It cited lower sales of heating oil and propane due to mild winter weather in the Northeast, lower petroleum commodity prices, and the restructuring of its Feed and Country Products businesses. {Reuters 1.Oct.02}

**Segments using rail in New England**

**Fertilizer and seed business.** On 3 December 2002, after the bankruptcy, Agway sold its Agronomy and Seedway businesses to GROWMARK, Inc., a Bloomington, IL-based agricultural cooperative. The $57 million transaction included Agway’s stock interest in CF Industries, a fertilizer manufacturing cooperative, and Allied Seed LLC. As part of the agreement, GROWMARK assumed control of substantially all of Agway’s currently operating retail fertilizer facilities, wholesale fertilizer terminals, and seed plants. These facilities are predominantly located in Delaware, Maryland, New Jersey, New York, Pennsylvania and Ohio, but two existed in New England, at Auburn and Detroit. {Agway press release from website}

GROWMARK subsequently sold the Maine facilities to Cavendish Agri Services, which already owned a facility in Leeds Junction, Maine [see 8 April 2003 issue].

Agway’s fertilizer facility in Bernardston, Massachusetts, was spun off in 2000 to the independent company Agrocare (our Directory #158).

**Feed business.** The feed distribution part of Agway which served New England, Feed Commodities International LLC (FCI), was sold 30 October 2003 for $11.5 million to the Middlebury, Vermont firm Bourdeaus & Bushey, Inc. The deal comprised the feed mills located in Bernardston Massachusetts, Detroit Maine, and Middlebury, Newport, and Vergennes, Vermont. Agway had purchased FCI a few years earlier. {Andy Kirkaldy in *St.Albans Messenger* 7.Nov.03}

A group of FCI managers put in a bid also, but was outbid, according to one of them, Tom Schildkamp. He became general manager of FCI after Bourdeaus & Bushey bought it. Said Schildkamp: “They’ve kept all employees and have been very good to us.” {ANR&P discussion 12.03}

**Other segments.** Two other major segments were also sold, but did not have operations in New England. Suburban Propane purchased the Agway Energy Products Group in December 2003. It provides fuel, equipment and service to more than 500,000 customers in homes, farms and businesses throughout Pennsylvania, New Jersey, New York and Vermont. For $10 million, Cargill has a signed purchase agreement for Agway Feed and Nutrition, which primarily serves dairy producers in New York and Pennsylvania. {Agway press release from website} The Bankruptcy Court will go through an auction seeking a higher and better offer on 26 February. {e-mail to ANR&P from Schildkamp}

**CAVENDISH AGRI SERVICES**

This company has several Maine facilities handling fertilizer. [More details to come in a future issue.]
More about Cavendish

Irving Moncton Group consists of Cavendish Farms, Cavendish Agri Services, Irving Tissue, Midland (trucking), and Acadian Lines (bus transportation). The Moncton Group is part of the Irving group of companies.

FEED COMMODITIES

The feed distribution part of Agway which served New England, Feed Commodities International LLC (FCI), was sold 30 October 2003 for $11.5 million to the Middlebury, Vermont firm Bourdeaus & Bushey, Inc. The deal comprised the five feed mills, doing 175,000 tons per year by rail, another 50,000 tons by truck. {ANR&P discussion with FCI General Manager Tom Schildkamp 12.03} Most of the rail tonnage comes over Canada, even that originating in the US Midwest.

Schildkamp on rail: '[A]ll of our mills have felt the squeeze through the holidays. In our business we need to supply the farmers ever day of the year but every year the rail service slips off dramatically through the holiday weeks. Hopefully we are through that now.' {e-mail to ANR&P 29.Jan.04}

Bernardston Massachusetts. Located next to Agrocare (Directory #158). About 30,000 tons per year, or 300 railcars, according to the office manager there. She rated Guilford service as good. {ANR&P discussion 29.Jan.04}

Detroit Maine. 50,000 tons a year by rail. According to local manager Gerald Deschaines, the mill receives “all kinds of soy, corn, granola, and middlings.” Carloads come to 10 per week. He rated Guilford service “poorly” because while he is supposed to get two switches a week, “we’re lucky if we get one...It’s hard to do business that way. If we don't get good service, we’ll have to close.” The mill cannot do business by truck. {ANR&P discussion 123.Dec.03}

Middlebury Vermont. 50,000 tons a year. Of that, about 30,000 tons or 300 cars’ worth moved by rail.

Newport Vermont. About 150 cars a year [see 3 July 2003 issue]. MMA was doing a good job serving FCI here. But, at this point, Manager Glen Burnett rated MMA dismal, due to its lack of power [see Regional]. Burnett spotted the additional six locomotives moving up through Newport on 28 January. {ANR&P discussion 29.Jan.04}

Vergennes Vermont. 75,000 tons per year. Of that, about 50,000 or 500 cars moved by rail. Robbie Quenneville, mill manager at Vergennes and fleet manager for all Vermont mills, rated VTR service for Middlebury and Vergennes as “excellent. I can’t say anything bad about them.”

But the railroads which connect with them do have problems. CPR service to Vergennes passes through Whitehall; CPR subsidiary D&H [see Region] formerly provided a 24-hour turn, then it went to 48 hours, and then to 72, and then to 96 hours, because the cars sat in Montreal. Quenneville could get no one to help: “I couldn’t talk to a human there.”

So FCI has increasingly turned to CN via St.Albans and NECR to serve Vergennes and Middlebury. Problem: NECR normally serves Burlington only two or three times a week [see 20 January issue]. Occasionally VTR has gone to St.Albans to pick up cars. {ANR&P discussion 30.Jan.04}

MONTREAL, MAINE, & ATLANTIC

January. THE RAILROAD BEGAN TO ALLEVIATE AN ASTOUNDING SHORTAGE OF POWER [see 20 January issue–apparently gotten worse] caused by failure of existing locomotives plus weather-related stoppages. By late January, six Wheeling & Lake Erie engines had made their way to Farnham.

MMA re-opened its locomotive facility in Newport, Vermont to put them in running order. {Gerry Burridge in CdnRys e-list; Scott Whitney in NERAIL}

On 31 January, MMA had borrowed a locomotive from Guilford, an infrequent occurrence. {MMA-rail e-list}
FEDERAL OMNIBUS BILL

22 January, DC. MEAGER PICKINGS AMONG THE PORK IN THE OMNIBUS BILL, at least for rails and ports. The US Congress sent the president an overdue, $820 billion measure that finances most of the federal government as well as thousands of home-state projects sought by lawmakers.

According to an analysis presented by the Taxpayers for Common Sense, the bill contained the following projects. {Taxpayers for Commonsense website}

<table>
<thead>
<tr>
<th>State</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
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<tr>
<td>Connecticut</td>
<td>0</td>
<td>No rail or port projects.</td>
</tr>
<tr>
<td>Maine</td>
<td>$1M</td>
<td>Yarmouth to Auburn rail line, New Starts category 03#09B</td>
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<tr>
<td></td>
<td>$0.5M</td>
<td>Ocean Gateway ferries and ferry terminal facilities.</td>
</tr>
<tr>
<td></td>
<td>$2M</td>
<td>Maine Marine Highway</td>
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<tr>
<td>New Hampshire</td>
<td>0</td>
<td>No rail or port projects.</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>$1.8M</td>
<td>Gallagher Intermodal Terminal, Lowell MA**</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>$3M</td>
<td>Integrated Intermodal Project New Starts***</td>
</tr>
<tr>
<td></td>
<td>$1.5M</td>
<td>Sakonnet River Bridge replacement (no rail)*</td>
</tr>
<tr>
<td>Vermont</td>
<td>0</td>
<td>No rail or port projects.</td>
</tr>
</tbody>
</table>

*While RIDOT at one time entertained the possibility of including rail in the new bridge, RIDOT’s David Fish, who handles bridge design, said the scope of work and the final Environmental Impact Statement did not include rail. {ANR&P discussion 29.Jan.04}

**This covers bus-related improvements, not the Nashua commuter rail. According to Kit Morgan, NHDOT rail administrator, the uncertainty in state funding for the commuter service meant no federal earmarks for that project this year. {ANR&P discussion 29.Jan.04}

***See Rhode Island.

CSXI

This CSXI announcement underscores the contrast which astounds me, between customers’ emphasis on how fast the shipment can get there, and the days upon days that some customers permit shipments to sit in the container yard awaiting pickup. Your comments welcome on this quandry.

30 January, Jacksonville CSXI CUT DOWN THE NUMBER OF FREE DAYS A CONTAINER MAY LANGUISH in container yards. According to the announcement:

In keeping with CSX Intermodal's continuing efforts to improve service, effective May 1, 2004, CSXI will implement a new International Free Time Policy for In Bond traffic. The new policy will be implemented in two phases as follows:

May 1, 2004 - In Bond traffic free time will be Day of Notification plus 96 hours.
August 1, 2004 - In Bond traffic free time will be Day of Notification plus 72 hours.

Free time remains at Day of Notification plus 48 hours on regular traffic. {CSXI customer notice}
COUSINEAU

1 February, Casco Maine. COUSINEAU IS EXPANDING ITS SHIPMENTS OF LOGS, according to its agent Stephen Chute of ISOHFN [see 31 October 2003 issue]. The proposed Willimantic yard has not yet started, but the Forestville Connecticut yard, served by GRS, is shipping out about 20 cars a month. “We’re waiting on more cars right now.” Cousineau has modified the gondolas which GRS supplies, by adding metal stakes and chains between the stakes, to create a log car.

The Palmer yard is also doing well. “We have only six cars in the fleet now,” but GMRC is rounding up more. Cousineau recently “hooked up with Weyerhaeuser” and has sent logs to from Palmer to Kane, Pennsylvania to a Weyerhaeuser chip plant there. {ANR&P discussion 1.Feb.04}

Pulp supply?
Maine suffers from a lack of loggers, firing concern about forest products companies. {Maine Sunday Telegram 1.Feb.04}
[The resulting lack of fiber may give rise to some of the Cousineau shipments. Editor]

FEDERAL ASSISTANCE TO SMALLER RAILROADS

SOME NEW ENGLAND SENATORS ARE BACKING TAX-CREDIT BONDS. The US House has a majority of members co-sponsoring a bill designed to give smaller railroads access to capital via a tax credit: HR.876/S.1703 [see 17 December issue].

A group of senators has sponsored a different bill to fund rail infrastructure needs through tax-credit bonds: S.1961. These bonds would help not only the smaller railroads, but passenger services and the larger railroads as well. The sponsors come mostly from the Northeast: Ernest Hollings (D, South Carolina), Tom Carper and Joe Biden (D, Delaware), James Jeffords (I, Vermont), Susan Collins (R, Maine), and Frank Lautenberg (D, New Jersey). {Tim Gillispie in Railway Age 1.04}

The bond proposal will not get into the Senate's six-year, $320 billion reauthorization of the Transportation Equity Act for the 21st Century. A committee aide said the financing provisions of the transportation bill will not include a bonding proposal championed by Baucus. {Scott Ecke, director of Federal Affairs, in The New England Council report}

HIGH-SPEED RAIL

25 January, Concord NH. CLF HAS STILL NOT RECEIVED ITS RAILROAD ANALYSIS [see 14 November issue]. Nancy Girard, who is handling the work for Conservation Law Foundation which should lead to a plan for rail revitalization, said she had asked consultant Wilbur Smith for some additional information, so she is still waiting. {e-mail to ANR&P}

DELAWARE & HUDSON

27 January, Calgary. CPR HAS NOT YET DECIDED THE FUTURE OF THIS SUBSIDIARY. Chief Rob Ritchie said during the conference call about 4th quarter results that the railroad would be “announcing final plans for the D&H over the next few months.” He said CPR had “some significant talent” looking at the property before the end of the year, and the railroad is still working with potential partners. {ANR&P coverage}

In November Ritchie said he expected “by the end of the year a work-out involved with partners, or we’ll be grinding it out.” [See 26 November 2002 issue.]

CONNECTICUT

PROVIDENCE & WORCESTER

29 January, Groton. THE FIRST REVENUE MOVES IN SOME YEARS brought gondolas in and out of Electric Boat [our Directory #529], a subsidiary of General Dynamics. On 27 January PW’s train NR2 spotted four gondolas at the facility on
the eastern shore of the Thames. On 29 January, PW brought in two more gondolas and lifted the initial two. In the past, PW delivered submarine reactors and parts of submarine hulls fabricated at Newport News, Virginia. {NERAIL and e-mail to ANR&P from Dave Edwards}

Crane parts inside
According to Dan Barrett, EB spokesperson, the gondolas contained parts for a new crane. {ANR&P discussion 30.Jan.04}

MAINE

AMTRAK
31 January, Portland. **THE DOWNEASTER RIDERSHIP ROSE DURING 4Q 2004**, although it fell for the year by 12%. For the last three months of 2003, ridership increased to a total of 64,501, from 60,730, for the same period in 2002, according to Northern New England Passenger Rail Authority Marketing Director Patricia Douglas. The train has 56 regular commuters out of Portland, up from 40 in 2002.

The future
But she noted: “Nothing is guaranteed” about continued service when federal start-up subsidies expire in June 2005. Greg Nadeau, MDOT director of policy and communications said state officials are gathering statistics they hope will persuade federal authorities to continue subsidizing the line in summer 2005 and beyond.

Officials noted that despite the three stops in New Hampshire, the Granite State does not help with operating costs.

Ruling on speed?
Officials expected a ruling in February from the DC Circuit Court on Guilford’s appeal of the STB decision permitting 79 miles-per-hour operation [see 5 January issue and mini-editorial in Vermont]. {Brian MacQuarrie in Boston Globe 31.Jan.04}

MAINE EASTERN
January. **MERR DID NOT LEASE THE LOWER ROAD BETWEEN GARDINER AND AUGUSTA**, due to liability issues created by the adjacent Kennebec River trail. MDOT’s Allan Bartlett said the trail license requires the trail group to provide insurance and indemnification to the railroad when the railroad obtains common carrier status for this segment.

At this point, MERR has no customer to serve along that stretch, nor the chance to serve customers in East Augusta now served by Guilford. Predecessor Maine Coast did serve Pine State Trading in Augusta, and provide cars for interchange to Guilford in East Augusta. {Downeast Rail newsletter 1-2.04}

MASSACHUSETTS

BCLR
23 January, Westport. **MID-CITY SCRAP WILL REBUILD ITS TRACKAGE** here, preparing for a higher volume of rail traffic. Mark Gitlin, who handles the shipping for Mid-City [our Directory #298], said his workers would do much of the rebuild under the guidance of Bay Colony.
“We’re excited about the fact that Bay Colony will upgrade the line” [meaning the Dartmouth Industrial Track–see 20 January issue]. With its own rebuilt trackage, and the new line, Mid-City can make the “turnaround time considerably less,” but it would not rebuild without the upgrade to the Dartmouth Industrial Track. “If they’re willing to invest money in the track, we’ll invest money in the spur.”

Gitlin praised the railroad: “We definitely enjoy working with them.” And Mid-City officials are talking up rail to other local companies.

He did not specify Mid-City’s rail volume, because it varies: “When the mill wants it, we move it.” {ANR&P discussion}

23 January, Boston. **ANSWERS TO QUESTIONS ABOUT THE MILLIS LINE BIDDING PROVIDED MORE DETAIL.** At this point, only two parties have asked questions, according to Lorna Moritz, executive director of Transit Realty, which is conducting the bidding for the MBTA [see 5 January issue]. [The two parties are the Charles River Railroad and BCLR. Editor]

**The property involved**

MBTA divides the line into three sections [see map]. According to the RFP, all three lines were acquired from the Penn Central in 1973.

**Part of the Needham branch** operated since 1982, called the Needham Secondary. The branch begins in Forest Hills at Milepost 0.0, and ends at Newton Upper Falls Milepost 15.5, at Cook Street, where the line formerly connected to what is now the T’s Green Line to Riverside. The Secondary begins at Needham Junction, Milepost 13.6 and ends at Milepost 15.5 in Newton Upper Falls. T commuter trains run from MP 0.0 to MP 13.9, so the operator will run about 0.3 miles on the T passenger track, from Needham Junction to the Needham Heights station, at Highland Avenue and West Street. This stretch is maintained to FRA Class 3+; the balance is excepted track.

The T warned bidders that MassHighway wants to halt rail use while it replaces the rail bridge over Route 128.

The Needham Secondary has a spur running to Needham Street, which was used to enter the Newton Industrial Park. Transit Realty believes the T had an access easement to service customers in the park. [This might have extended farther, back into Needham, over a still-existing bridge, to the New England Industrial Center. Editor]

**Dover Secondary** operated since 1982. Begins at Needham Junction and runs to Medfield Junction, about 7.3 miles. Maintained at excepted track status.

**Millis Industrial Track** 3.4 miles operated since 1987. It was built as part of the Charles River Line, which was cut back to Millis in 1967. However, the T only owns to about MP 2.76, 100 feet west of Exchange Street. GAF or its predecessors at some point acquired the final seven tenths of a mile, so that the T is not offering the track which serves GAF. Maintained at excepted track status.

The MBTA permitted Conrail to operate freight service on the Millis Line from 1973 to 1987, when BCLR took over.

**Why no agreement with BCLR on Millis**

Although the Bay Colony was chartered by the Massachusetts General Court in 1977, it did not begin operation until 1982. In 1982, the legislature added Norfolk and Suffolk Counties, and a portion of Middlesex, to its previously authorized areas of operation.

In 1982, BCLR won an EOTC bid to operate several lines, including MBTA-owned Plymouth Line, the Dover Secondary, and the Newton Secondary as far as Roxbury. EOTC and BCLR signed a five-year agreement, with one five-year extension.

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**Map information**

The map below shows the lines involved in the bid. The blue running parallel to the red indicates where freight and passenger share the Needham Secondary.

Numbers adjacent to customer names refer to our Directory. Customers served by CSXT are also shown, for edification.
In 1987, BCLR assumed the operation of Conrail’s freight easement on the Millis Branch. EOTC and MBTA signed an amendment to the 1982 lease, granting BCLR the right to operate the Millis and Acton sections.

Late in 1987, the parties discussed an agreement covering the Millis line and the startup of Needham commuter service. It was never signed due to unanswered EOTC policy questions.

In 1992, BCLR again won an EOTC bid, covering only EOTC lines, meaning the Cape lines, the Taunton section, and the Watuppa Line [see 5 January issue]. The agreement took four years to negotiate, but was reached in 1996. It expires in 2006.

As for the MBTA-owned lines, MBTA took them out of the 1982 agreement. In 1999, BCLR presented a draft agreement similar to the 1996 EOTC agreement, to cover the lines BCLR operates. The two sides were never able to sign an agreement, so the T decided to put the lines out to bid as the appropriate way to handle the situation. The T views BCLR as a tenant at sufferance.

**Current operation and customers**

<table>
<thead>
<tr>
<th>Customer (directory #)</th>
<th>Location</th>
<th>Traffic 1987</th>
<th>Traffic 2002</th>
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</thead>
<tbody>
<tr>
<td>Ivex (#231)</td>
<td>Newton</td>
<td>~60*</td>
<td>57</td>
</tr>
<tr>
<td>Tresca Brothers (#232)**</td>
<td>Millis</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>GAF (#233)</td>
<td>Millis</td>
<td>269</td>
<td>1695</td>
</tr>
</tbody>
</table>

* Traffic in 1987 on the Dover + Needham Branch came to 205. In 1992, the last customer in the Cabot Industrial Park, American Door, closed. In 2000, the last customer on the spur to the Park, Regalite, closed.

** Although this newsletter and our Directory reports traffic to Tresca after 1987 [see issue 98#19, for example], the RFP states that BCLR traffic on the Millis Branch came to 1695 in 2002 (Exhibit E) and it only relates to GAF (page 9). Moritz is checking on this.

**Agreement and payment**

The winning bidder will sign a ten-year license for exclusive freight rights to the lines, during which the bidder will pay the greater of a ‘minimum annual guaranteed license fee’ (MAG) each year, or a track usage fee of $0.25 per car mile. The MAG is set in the bidder’s proposal. The T will not consider the value of capital investments in the line as part of the MAG fee.

In addition, the winning bidder will pay a ‘sidetrack maintenance charge’ of $4600 per switch per year for switches located on MBTA Passenger Lines. None now exist. [This applies only to the three tenths of a mile on the Needham Secondary over which the T’s Needham Line runs. Editor]

The operator will begin on 1 January 2005. The T refused to consider an earlier date, though one questioner noted the problems of a transition ‘prior to the onset of winter.’

**Track standards and maintenance**

Significant portions of the track are designated ‘FRA excepted’ [meaning not more than 10 miles per hour, no passenger or hazardous traffic–editor]. The T will only require that the operator keep the track maintained in accordance with its intended use. [This differs from EOTC’s effort to require the operator of the Ware River Secondary, now MCER, to do significant upgrades. See 15 March 2002 issue.]

All costs for grade crossings must be borne by the operator.

**Weight restrictions**

Several sources indicate that the current MBCR timetable has a restriction of 220,000 pounds and no six-axle locomotives on all lines it operates. [See 14 November 2003 issue.] CSXT routinely violates the restrictions. Moritz said she is checking into their continued existence.

Transit Realty could not state when MassHighway will replace the bridge over Route 128, nor whether the new bridge will hold a 286,000-pound car.
Judgement
MBTA will first open the qualifications information on 2 April. A bidder who withdraws after that date forfeits the $10,000 deposit required with each bid. The T will determine the bidders qualified, responsible, and eligible; the T will then on 16 April open the financial offers of those who qualified.

Under the enabling legislation for the MBTA, Chapter 161A (5) (C), it is required to award the bid to the highest qualified bidder, said Moritz [compare with Massport procedure for Mystic piers--see this issue]. {text of RFP, draft license agreement, questions; ANR&P discussion with Moritz 29.Jan.04}

Charles River Railroad
Podgurski’s team has adopted a name from history, the Charles River Railroad. It consists of Chris Podgurski as president and CEO, Paul E Buckley as secretary and treasurer, Dick Currier as vice-president of operations, John Kennedy as executive vice-president, and Edmund Harris as chief engineer. {e-mail to ANR&P from Podgurski}

1 February. BCLR TOOK OVER THE DARTMOUTH INDUSTRIAL TRACK, in a transaction which took a year to complete [see 5 January issue]. {ANR&P discussion with BCLR official 2.Feb.04}

CSX TRANSPORTATION
29 January, New Bedford. THE CITY HAS POSTPONED THE DUE DATE FOR BIDS ON TRACK REHAB and other rail-related construction at the now-unused CSXT rail yard [see 20 January issue]. Formerly due this day, now the bids are due on 12 February, said Bob Luongo, executive director of the New Bedford Economic Development Council and general manager of the New Bedford Redevelopment Authority. After evaluating the technical abilities for two weeks [now 26 February--editor], the low qualified bidder will get the contract. {ANR&P discussion 29.Jan.04}

More about the bids
The New Bedford Redevelopment Authority, notice for bids #329, asks for a technical bid and a cost bid. Submitters’ technical abilities will be evaluated; among those who qualify, the low bidder will win.

North Terminal Railyard work. According to bid documents, this includes

Task Number 1: Construction of engineered barrier cap and warning indicator. In addition, the winner must do ‘building demolition and tank car removal.’

Task Number 2: ‘Furnish and install EPA Spur Track 8 and Tail Track 8...’ plus ‘roadway grade crossing and safety gates, utility work, and filling and abandonment of two culverts.’

Task Number 3, CSX Railyard: ‘Furnish and install Industry Lead Track 7 and Storage Tracks 1 through 6....’

Task Number 4, Mainline Track: ‘Furnish and install Mainline Track 9 and Mainline Track 10....’

10 February, West Springfield. AN UPDATE ON THE STUDY OF THE RAILYARD HERE will go to the Merrick/Memorial Advisory Committee on this day. It will include an update on the neighborhood redevelopment plan, a presentation by Jim Blair of Reebie Associates on freight analysis and other related issues, a presentation by the Pioneer Valley Planning Commission on existing traffic conditions, and a presentation by lead consultant Vanasse Hangen Brustlin on proposed concept alternatives. {agenda from Pioneer Valley Planning Commission}
GUILFORD RAIL SYSTEM

26 January, DC. **GRS FILED TO ABANDON THE TEWKSBURY BRANCH**, from Milepost 0.0 to Milepost 0.75. [The branch leaves the Freight Main at Milepost 296.70 in the Wamesit section of Tewksbury, and ends short of the Old Boston Road grade crossing. *Editor*] ‘Prior to the effective date [24 March] of the abandonment and discontinuance, title to the line will be acquired by third parties.’ The notice stated that no rail construction is anticipated.

The line has been out of service for some time. [The line last had freight service in 1979. {Ronald Dale Karr, *Rail Lines of Southern New England*, page 232. However, Karr claims the instant section was abandoned in 1983.]} STB Docket Nos 32 (Sub No. 97X), AB 355 (Sub No. 29X)

26 January, Ayer. **THE GRS INTERMODAL TRAIN HAS GROWN IN LENGTH**, running between Ayer and Mohawk Yard in New York, where it interchanges with D&H [see 9 September 2003 issue]. According to one observer, ‘Trains probably run 3000-5000 feet long, although they occasionally have topped 7000 feet. The intermodal tracks at Ayer [our Directory #124] are about 3500 feet, and most days the train has a few cars for the second track. Doublestacks run four to five days a week during the week; rarely on weekends.’ {NERAIL}

Example

On 31 January, MOAY arrived at Ayer at 1605 with 31 intermodal cars (24 loads, 7 empties) of 56 COFC and TOFC. No double stacks. {NERAIL} K-Line boxes, though not on this train, frequently appear, double stacked [see issue 01#09A].

The breakdown:

**Container on flat car (COFC)**
- 19 EMP [Could be Schneider–see 31 October 2003 issue].
- 5 NACS
- 5 JB Hunt
- 1 Triton

**Trailer on flat car (TOFC)**
- 19 JB Hunt
- 2 VTR
- 2 EMP
- 2 XTRA
- 1 BNSF

**Car types**
- 5-platform spines: four
- 3-platform spines: two
- 5-platform wells: two
- 3-platform wells: two
- single-platform wells: two
- single flats: seven
- single "Twin 45" flats: eleven
- 2-platform "Long runners": two

There were several "Twin 45" flats that could only carry one 53-foot J.B.HUNT, although one twin had the 2 XTRA's packed close together. {e-mail to *ANR&P* from David Wright 1.Feb.04}
MBTA
30 January. **THE T HAS STILL NOT AWARDED THE ENGINEERING STUDY CONTRACT** on expansion of commuter rail to Worcester [see 30 September 2003 issue]. It is still in negotiation, per the Office of Contract Administration. {ANR&P discussion 30.Jan.04}

31 January, Haverhill. **BRADFORD PLEAS TO SHUT DOWN LOCOMOTIVES**, rather than have them idle through the night, have fallen on receptive ears. At a meeting yesterday in City Hall, representatives of the Massachusetts Bay Transportation Authority and Massachusetts Bay Commuter Railroad were put on notice by the state's Environmental Compliance and Enforcement Division to address neighborhood concerns and comply with environmental regulations.

Bert E. LaCerte, who lives two blocks away from the Bradford commuter train station, said the problem began when the MBTA created the lay-over station in the 1980s. “On cold days they were supposed to keep the engines warm by plugging them into electric outlets. When it gets down to 10 degrees they run the engines.”

Anna Barry, MBTA operations director, said the agency is preparing to launch a study to determine if the threshold can be lowered from 10 degrees to zero or below before a train needs to idle. An event recorder to be installed on a locomotive in Bradford by next weekend should provide the hard data her company needs and that an answer could be several weeks away.

Stephen Urban, MBCR deputy general manager, said sustained cold weather is the villain. “We emphasize shutdown procedures with our employees and if there are things they are not doing we need to know this.”

Thomas A. Natario, representing the state's Environmental Compliance and Enforcement Division, said his agency has placed the MBTA and MBCR on notice for “excess idling at the Bradford layover facility.” He asked why the Bradford facility was not modified as recommended in a 1992 site study. Natario said one of those recommendations was to build a barn where trains could be stored overnight or on weekends. Both organizations now have 60 days to explain why the station was not modified, and what they intend to do to bring it into compliance. They also have 180 days to detail all actions taken to achieve compliance with environmental regulations. {Mike LaBella in Lawrence Eagle-Tribune 31.Jan.04}

BOSTON
30 January. **MASSPORT IS OFFERING ANOTHER CHARLESTON PROPERTY FOR LEASE**: a 3.65-acre parcel at Mystic Piers 48, 49, and 50, those just on the seaward side of the Tobin Bridge over the Mystic River, adjacent to the auto terminal. Massport requires the winner to use it for ‘maritime-industrial’ purposes. Since the 1980s, it was leased by Eastern Minerals as a salt terminal [see table of terminals in 12 March 2003 issue], but has not seen use for some time. The piers have a 35-foot depth.

The parcel has truck access [Massport failed to note rail access, but the Mystic Wharf branch does run to within 2000 feet of the property. Editor].

A prebid conference will occur on 3 February. Bids are due on 27 February. Massport need not select the highest revenue proposal, but will select that most responsive to Massport’s needs, which include economic opportunity and strategic benefit to the Commonwealth, and maximizing the use of the berth for transport of waterborne commodities. ‘Non-acceptance of any proposals will be devoid of criticism and of any implication that the proposal was deficient.’ {text of RFP}

**Bids on Mystic Wharf property**
On this day bids on part of the Medford Street Terminal [see 17 December 2003 issue] were due. Pamela Reed, maritime business manager at Massport, said she could not divulge anything about the bids received until later. {ANR&P discussion 30.Jan.04}
NEW HAMPSHIRE

PORTSMOUTH - GUILFORD
2 February, Concord. NO DECISION YET FROM THE PUBLIC UTILITIES COMMISSION on the request by Public Service of New Hampshire to switch one boiler at Schiller Station to wood chips [see 26 November 2003 issue]. A clerk at the Commissions said a draft decision is circulating, and an final order could come this week. {ANR&P discussion}

RHODE ISLAND

MBTA
29 January, Providence. RIDOT WILL EXTEND T SERVICE TO WICKFORD by the end of 2006, adding a stop in Warwick to serve the T.F.Green airport.

The federal omnibus appropriations bill [see Regional] included $3 million toward the $30 million project, labelled the South County Commuter Rail Service. The state will pay $5 million of the total, according to RIDOT spokesperson Chuck Alves.

How goes the Pawtucket layover?
Rhode Island and Massachusetts agreed to move the layover point for T commuter trains from Attleborough to Pawtucket. Alves said the project is proceeding toward completion at the end of 2004, but the T needs to resolve the yard’s connection with the Amtrak-owned main line. {ANR&P discussion}

VERMONT

VERMONT RAIL SYSTEM
28 January, DC. SHOULD THE STB DELAY A DECISION ON THE WALLINGFORD SALT FACILITY until the State of Vermont has exhausted federal appeals on the Riverside Reload Center pre-emption issue? In December, the US District Court for Vermont found that Act 250 is pre-empted by the federal Interstate Commerce Commission Termination Act [see 17 December issue], in examining the GMRC construction on its property in Riverside. On 13 January, the state appealed to the US Circuit Court.

In this matter, where VTR has asked the Surface Transportation Board for a ruling that its proposed Wallingford salt facility is exempt from local control [see 3 July 2003 issue], the state requested a stay in the Board’s action pending its appeal of the Riverside case. VTR opposes the stay in a filing this day: ‘VTR seeks an opportunity to explain to the Board how VTR would be prejudiced were the Board to grant the state’s stay request. VTR, which is awaiting a ruling from the Board before investing substantial amounts of money in the Wallingford salt transload project, would find its development plans postponed indefinitely, depriving VTR of the ability to earn revenues that VTR believes would be generated by the transload facility.’ {STB Finance Docket No.34364 28.Jan.04}
MINI-EDITORIAL ON SLOW DECISIONS

Sure, railroads are slow to act. Look at how long CSXT and BCLR took to transfer the Dartmouth Industrial Track [see Massachusetts]. But judicial and quasi-judicial bodies take even longer! VTR is seeking a ruling from the STB [see above] on pre-emption of local control over its proposed salt facility. It argues that delay in the STB action to await Circuit Court of Appeals action in the Riverside case will cost it revenues. True, but that argument ignores the fact that the STB itself acts with the speed of molasses.

VTR filed the petition with the STB in June. Six months later, the two sides are arguing whether to await the Circuit Court ruling. In a similar case, Guilford versus the Town of Ayer Massachusetts, Guilford and Ayer appealed the US District Court ruling in March 2002. The First Circuit Court of Appeals persuaded the two sides to adopt mediation, and made its ruling in May 2003 [see 29 August 2003 issue].

Here’s my guess. The Circuit Court will take a year to decide the Riverside case. It will uphold the District Court ruling of pre-emption. If the STB waits for that ruling, it will take another year (while VTR and the state argue the applicability of the ruling) to decide in favor of VTR.

On the other hand, if the STB does not wait, the parties will take another six months to argue the case, and then the STB will require a year to decide it. That’s based on the Board’s speed in the MBRX versus Guilford case, where in June 2003 both MBRX and customer Granite State Concrete put a very attractive case for immediate action before the STB. Now, six months later, the Board has not yet acted [see 17 December 2003 issue].

The Board and the courts have their good points, but speedy action is not one of them. With or without a wait for the Circuit Court decision, VTR will wait at least a year and a half. Its hope to get this salt facility operating soon is wildly misplaced.

QUEBEC/MARITIMES

MMA/NBSR

January. MORE INFORMATION ON THE SUNBURY INTERMODAL [see 5 January issue] came from MMA’s own newsletter. ‘The Monday through Thursday and Saturday is exclusively for Sunbury and its customers. Trailers dropped off at Saint John by 8PM are available for pickup at Farnham, Quebec early the second morning. Trains operate on a similar schedule eastbound.

‘It’s a new market for us,” explained Dale Thibodeau, Sunbury vice-president and general manager of land transportation. “We were having difficulty getting available capacity so we went out and bought our own train.’ Shipments consist of standard three, four, and five-axle trailer combinations.

‘The new train is Sunbury’s strategic response to a growing shortage of long-haul truck drivers, according to Thibodeau. “This puts us in the marketplace with unrestricted capacity. We hire drivers in Quebec and Maritimes to do the dray work and use rail for the longer haul. What we’ve seen so far is that there’s been tremendous reception in the marketplace, because it’s available capacity and that’s what customers are looking for. Business is picking up....

‘We intend to use this train as our beta site—expanding over time to other origin and destination points.”’ [MMA Manifest winter.03]

HALIFAX

23 January. MELFI CONTAINER LINE EXPANDED ITS SERVICE by adding a third ship to its Mediterranean-Halifax route. The 1100-TEU Italia 2 called Halterm this day from the Mediterranean, and will continue to Havana, then back to the
Mediterranean. From Havana Melfi offers connecting service to points in the Caribbean and South America.

The Italia 2, a self-unloader with two 45-tonne cranes, carries general cargo as well as containers. Melfi uses Protos Shipping Limited as agents in Canada. {Tom Peters in Halifax Herald 25.Jan.03; www.protos.ca}

26 January. CONTAINERS SET A RECORD in 2003, at 4,603,285 metric tonnes, up from 4,273,663 metric tonnes in 2002, an increase of 7.7%. Contributing factors were strong carryings by most of the Port’s long-standing customers, strength in the U.S. mid-West market for which Halifax is a major gateway, and stability of container terminal operation leases. Imported containerized cargo tonnage increased 9.8%, with export increasing 6.0% year-over-year.

Other cargoes
‘A recovery of bulk commodities in 2003 versus 2002 contributed to the overall port tonnage of 13,857,619, an increase of 7.9%. Petroleum products were the driving force behind the increase of 17.6% in total bulk import. Improved utilization of Ocean Terminals and managing specialty cargo such as rubber and a variety of steel boosted breakbulk cargo by 14.3%. This increase is also due to the Port of Halifax having several combination carriers which are flexible to carry assorted types of cargo...

‘The Port of Halifax forecasts an estimated 3-4% growth in cargo volumes in 2004.’ {port press release}

RAIL SHIPPERS

Described in this issue.
Our Directory of Rail Shippers & Receivers in Southern New England has more information on the companies denoted with their directory number.

Agrocare #158 (GRS, Region), Cavendish Agri Services (GRS, Region), Cousineau (NECR, GRS, Region), Electric Boat #529 (PW, CT), Feed Commodities (GRS, MMA, VTR, Region), GAF #233 (BCLR, MA), Ivex #2331 (BCLR, MA), Mid-City Scrap #298 (BCLR, MA), Sunbury (MMA/NBSR, Quebec), Tresca Brothers #232 (BCLR, MA).

PEOPLE

John Kennedy not only has joined the Charles River Railroad effort [see BCLR], but remains busy. he formerly ran the Cape Cod Central [see 27 January 2003 issue]. He writes: ‘I am involved in transportation, rail & management consulting, real estate services, property management, web-based clearinghouses for medical and clinical trial information & publications, and I am writing several related books.’ {e-mail to ANR&P}

Dick Currier is listed as vice-president of operations for the Charles River. He is also assisting the New Hampshire Central.
Coverage
The newsletter covers the operating freight railroads and ports in New England, the Maritimes, and eastern Québec, as well as the government environment they function within. Coverage includes passenger rail and ships when relevant to freight operations.

Frequency and the e-bulletin
ANR&P appears at least four times a month. We send a formal issue twice a month, via post or e-mail. Between the issues, we send out the e-bulletin, only by e-mail. All information in the e-bulletin is included in the issue.

Pricing
Subscriptions cost $375 for professionals, $105 per year for students, young and old. Introductory prices available. The e-bulletin, sent by e-mail as needed between issues, is free of charge to all subscribers.

Advertising
Subscribers may purchase half-page ads for $50 per issue. Non-subscribers, $100.

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.’

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