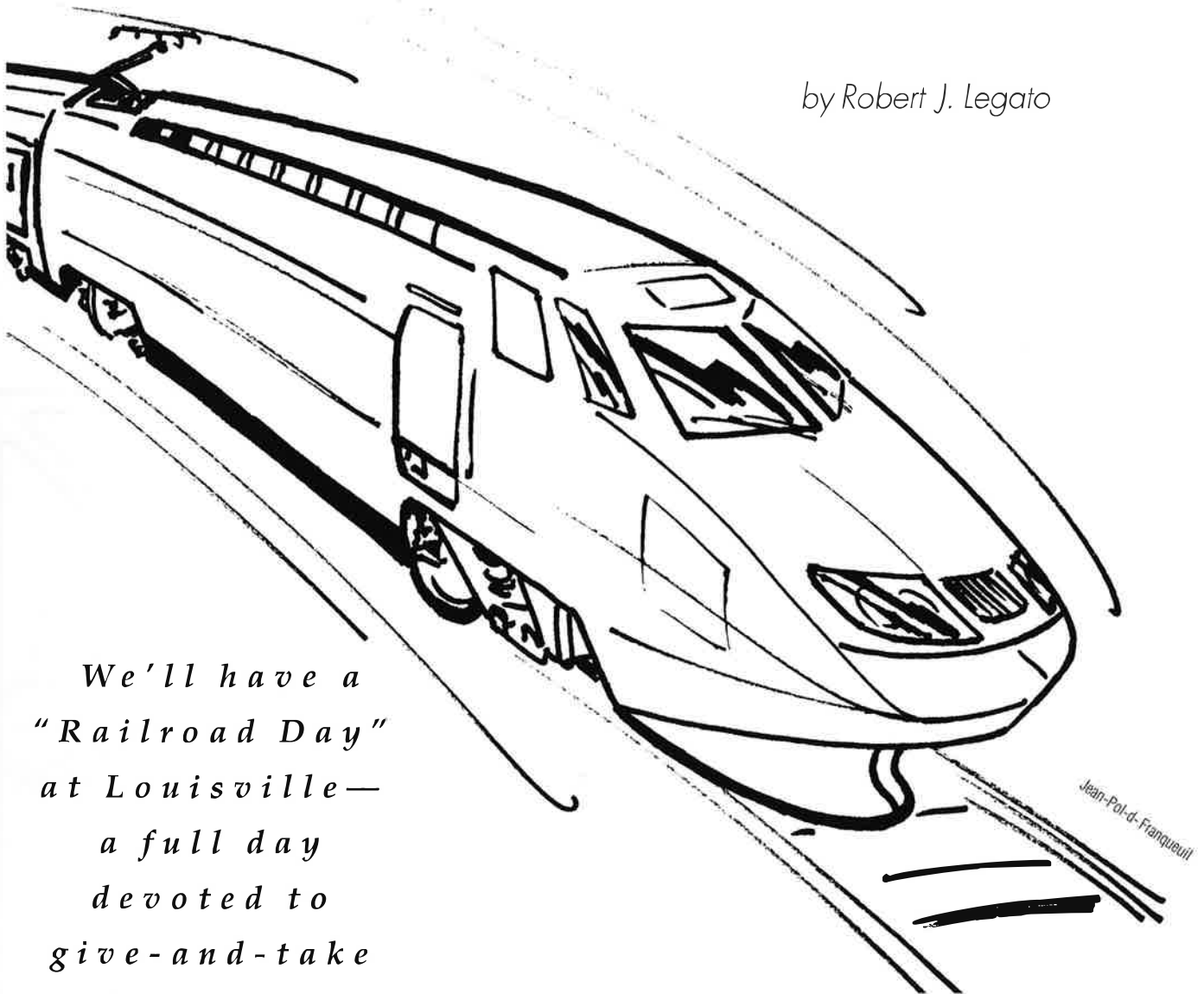


The Railroads Are a Comin'

by Robert J. Legato



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As far as anyone remembers, the last time it was tried was back around 1963; apparently, it failed pretty badly. What? Why, an attempt to engage the railroads in a dialogue. I think I can piece together why it didn't work out, but that's a long story. Suffice it to say, the railroad people might have felt a bit defensive about discussing occupancy of their rights of way by others. Do you think they were being "paranoid," as they say? My experience in the last few months on this project says maybe the railroads were right to be concerned—but I'm getting ahead of myself...

It began more than a year ago, when some of us were meeting to plan the 1995 International Education Seminar for Louisville. The subject of railroads came up, and the feeling was that a dialogue about occupancy of railroad rights of way—both transverse and

discussion was lengthy, but full of team spirit and a willingness to entertain new thoughts.

Some of the good things that emerged from that conversation were:

1. We'll have a Railroad Day at Louisville—a full day devoted to give-and-take dialogue. No single committee will "sponsor" the day; it will be a joint presentation by all the industry committees.

2. (The hardest part.) Competing presentations will not be given on that day. Rather, it's expected that several hundred attendees will fill a large room being set apart for the purpose of discussing railroad issues.

Those familiar with the workings of International Education Seminars will realize that this is a tremendous departure from tradition, and it came about because many people were willing to sacrifice their own agendas

special construction or maintenance concerns are these?

- Instruments: types of permits and easements usually granted. What's needed?

- Valuation: how does the railroad arrive at a value for its land? How does the potential occupant view it?

- Changes in use: what happens to occupants' rights when railroad land is sold, abandoned, or put to alternate use?

Two things are worthy of note:

1. It is not expected that issues will be settled during these brief discussions, but it is expected that issues being aired will become better understood. Above all: this is not a railroad bashing day! We are inviting those participating to join in a reasoned exchange of ideas.

2. This is the first of what we hope will become "theme" topics for future

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longitudinal—may be long overdue. It's just one of those subjects we all deal with, but about which little seems to be spoken.

Exciting things have happened since then! By the time we arrived at the seminar in Pittsburgh, we already had a skeleton plan for a "Railroad Day" in Louisville. We knew it would take a full day to cover what we had in mind, but we also knew that the hours for presentation were limited. On the last day at Pittsburgh, a group of people from various committees gathered to see how it could be made to work. We had representatives from the Utilities, Liaison, Property Management, Environment, Valuation, Transportation and Pipeline committees around a large table. The

and embrace some new thinking. Not incidentally, it also came about because people from all groups realized the tremendous significance of railroad rights of way and their effect on so many aspects of our lives.

The particulars are as follows:

On Tuesday, June 20, 1995, at Louisville, railroad representatives from eastern and western United States, and from Canada will be invited to dialogue with representatives of various groups within IRWA, to discuss four areas of interest:

- History: where do the railroads (and others, like pipelines) derive their rights?

- Physical issues: what are the physical occupancy issues for the railroad? For the occupant? What

international seminars. Several sitting around that table in Pittsburgh said that they were hatching plans for "theme days" in San Diego, Anchorage and beyond.

Letters of invitation will be going out to railroad representatives soon; we will gather an international cross-section of panelists and presenters. We realize we've all got a lot to learn this day. See you there! □

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