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## MASSACHUSETTS

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### PAR/MBTA: SELLING WORCESTER MAIN?

July, Boston MA – ***THE MBTA MAY SOON EXERCISE ITS OPTION TO BUY PAR’S AYER – WORCESTER LINE; MWRA SUPPORTS MOVE.*** Discussions are being held with the Baker Administration, reportedly with the involvement of the Governor himself. Any sale would be the first application of the broad 2010 trackage agreement between PAR and the MBTA {ANRP sources}.

In May, the MBTA paid to upgrade the line for non-revenue service, in order to carry its daily north – south commuter equipment service traffic during the scheduled May – June outage of the Grand Junction [see 18#05]. The improved GJ reopened on schedule, but the three-year GLX project, combined with the Mass Pike realignment project underway at Beacon Yard throws a lot of shade on a GJ-dependent commuter equipment service regime. Already upgraded from PAR standards, the Worcester Line is a proven alternate route that will mitigate GJ congestion problems and sustain MBTA service improvement objectives.

#### **Dangerous derailment**

At 04h30 on 29 January 2017, in West Boylston MA, eight westbound hopper cars derailed on the section of track running along the Wachusett Reservoir. The cars were loaded with “dirty dirt” contaminated soil, excavated from the Wynn Resorts casino development site in Everett MA. No cars tipped over, and no hazardous material was released {conversation with West Boylston P.D., from dispatch notes}. The MWRA has long been concerned about a potential derailment at the site, and conducted a full-scale live drill on 15 October 2015 with 22 public agencies and PAR participating. In January of this year, MWRA internal discussion proposed state acquisition of the line {MWRA Monthly presentation archives}.

#### **“Wachusett-plus” deal established acquisition process**

In 2010, the MBTA acquired trackage rights along PAS from Fitchburg to the (current) Westminster MBTA layover facility to build the Wachusett Extension<sup>1</sup> of the Fitchburg commuter line. The agreement between MBTA and PAR was much broader than that project alone. In return for rescission of Pan Am’s obligation to pay trackage rights fees on the separate properties that are subject to the 1976 [B&M lines acquisition]

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<sup>1</sup> Limited service started XX September 2016; full service XX November 2016.

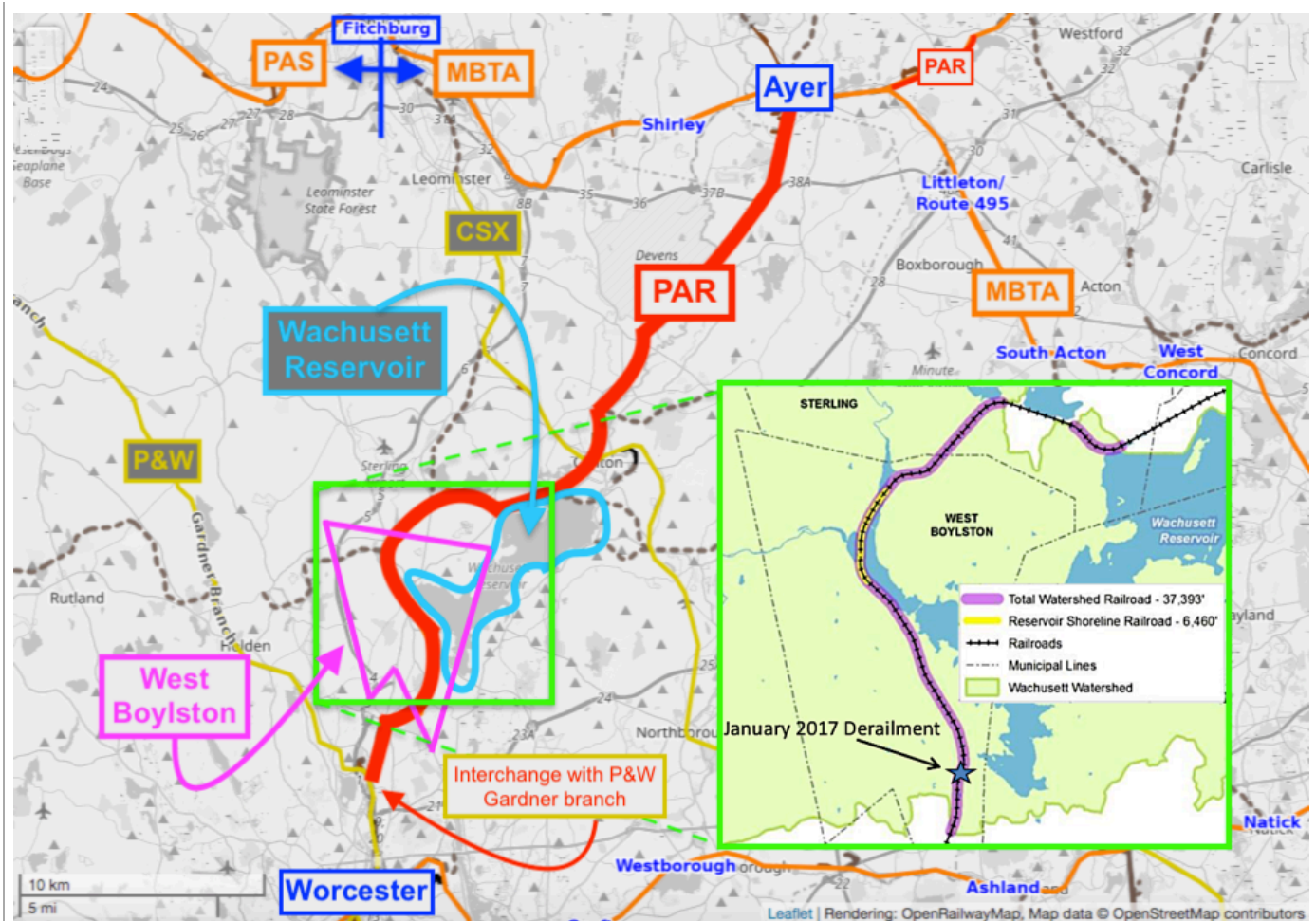
Deed<sup>2</sup>, MBTA received received extensive open-ended rights<sup>3</sup> to these Pan Am-owned rights of way:

- Freight Main Line to Plaistow NH (allows relocation of the Bradford layover including a station stop in Plaistow) ;
- Freight Main Line to Wachusett Station and Layover;
- Freight Main Line from the MBTA’s Haverhill line in Andover to the MBTA’s Lowell Line in Lowell;
- The Freight Main Line from the MBTA’s New Hampshire Main Line in Chelmsford to the MBTA’s main line in Ayer/Littleton.
- The Worcester Main Line from the MBTA’s Fitchburg Main Line in Ayer to the Worcester Union station.

### Worcester & Middlesex Ctys., MA

<sup>2</sup> On 27 December 1976, MBTA bought [all Boston & Maine trackage then in use as commuter rail lines ... including] the following lines and branches: The **Lowell line** from Boston to the New Hampshire border (34 miles); the **Wilmington Junction (Wildcat) branch** from Wilmington to Wilmington Junction (3 miles); the **Woburn branch** from Winchester to Woburn Sq. (2 miles).; the **Lexington branch** from Somerville to Bedford (12 miles); the **Stoneham branch** from Montvale to Stoneham (2.5 miles); the **Central Mass branch** from Waltham to Berlin (23 miles); the **Western route** from Wilmington Junction to Haverhill and the New Hampshire border (35 miles, the portion from Wilmington Junction to Somerville was already owned by the MBTA); the **Manchester and Lawrence branch** from Lawrence to Methuen and the New Hampshire border (2 miles); the **Newburyport branch** from Wakefield Junction to Topsfield (15 miles); the **Eastern route** from Boston to Ipswich, Newburyport, and the New Hampshire border (39 miles); the **Gloucester branch** from Beverly to Rockport (17 miles); the **Saugus** from Everett to West Lynn (9.5 miles); the **Lawrence branch** from Salem to Danvers (5.5 miles), a segment of the old **Salem & Lowell branch** from South Middleton to West Peabody (3 miles); the **East Boston branch** from Revere to East Boston (3 miles), the **Fitchburg line** from Boston to Fitchburg (50 miles); the **Greenville branch** from Ayer to the New Hampshire border (11.5 miles); and portions of the **Marlborough branch** from South Acton to Maynard (3 miles) and Gleason Junction (Hudson) to Marlborough (5 miles). The MBTA also acquired the Boston Engine Terminal and the Billerica Shop properties (including the 2-mile shop lead track from North Billerica) {Jonathan Belcher, *Changes to Transit Service in the MBTA district 1964-2018* via Wikipedia}.

<sup>3</sup> MBTA-PAS “Wachusett-plus” agreement of June 2010 includes: Immediate rights to operate non-revenue service over Pan Am-owned right of way (“Level 1 Rail Properties.”) In connection with the future expansion of commuter rail service; The MBTA can, after studying the infrastructure needs of the new service and constructing necessary right of way improvements, implement commuter rail service while Pan Am retains ownership (“Level 2”); MBTA may exercise an option to purchase the right of way property at the appraisal price, and converts the properties to “MBTA Rail Properties.” Operational coordination: While the properties remain Level 1, the MBTA’s non-revenue usage must not interfere with Pan Am’s use of the property for freight service. When the MBTA exercises its option to run commuter rail service on Level 2 rail properties or if it elects to purchase the properties, the MBTA can schedule passenger trains, in consultation with Pan Am and consistent with a feasibility study, and Pan Am’s dispatching protocol must give priority to the MBTA’s trains. {Peter Kochansky “Negotiating Passenger Rail Operating Rights: Lessons Learned in Massachusetts,” 2011 American Public Transportation Association (“APTA”) Rail Conference.}



Route of PAR Worcester line. {OpenRailwayMaps, annotated by ANRP; Inset MWRA}.

MBTA spokesperson Lisa Battiston explained the current status of the Worcester Line in terms of the “Wachusett-plus” agreement of 8 June, 2010: “[The Worcester Main line] currently has a Level 1 designation. During a 7-week period in which the Grand Junction Running Track was out of service, the MBTA exercised its right to use the Pan Am Worcester Main to move non-scheduled, non-revenue trains between Boston Engine Terminal (BET) where they are maintained and South Station where they are used. During this time period, the MBTA and Pan Am coordinated to accord Level 2 benefits (scheduling of MBTA trains, priority of train movements, and uninterrupted periods during which the MBTA could perform work on the line), although the line was not officially designated as Level 2 {emails from LB, 07.28.18}.

Just after the “Wachusett-plus” agreement was concluded in 2010, then-Lt. Gov. Tim Murray anticipated that a Worcester Line acquisition would be costly: “The cost of acquiring the line and making all the improvements necessary for fast passenger trains would be \$100 million to \$200 million” {Priyanka Dayal, Worcester *Telegram & Gazette* 06.08.2010}.

## ++ NE TRANSRAIL: FILES WITH STB AS NEW ENTITY (18#07m)

**UPDATE:** 27 July – In response to NET’s Petition for Substitution of Parties filed with STB (see below), The Town of Wilmington [MA] filed an Objection. The primary reasons for the Town’s objection are,

*[that] the Petition does not meaningfully disclose the capabilities and contemplated role of the new business partner and new principals that would now finance and co-manage an “NET”*

**COMMON ABBREVIATIONS can be found on page 26**