

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE**

In re:)
Montreal Maine & Atlantic Railway Ltd.,) Chapter 11
) Case No. 13-10670
Debtor)

**DECISION AND ORDER REGARDING THE PROCEEDS OF THE SALE OF THE
DEBTOR'S 45G TAX CREDIT**

For the reasons set forth on the record of hearing on March 13, 2014, I conclude that of the \$1,117,355.00 qualifying track maintenance expenditures made during 2013, 69.74% (\$551,889 + \$227,456 / \$1,117,355) were made either prepetition, or during the postpetition period when Wheeling's collateral was funding operations, and therefore are subject to Wheeling's security interest. The remaining 30.26% were made after the new postpetition financing was arranged and are not subject to Wheeling's security interest. Applying these percentages to the \$490,513.62 proceeds of the tax credit sale held in escrow, Wheeling is entitled to \$342,128.81 and the Trustee is entitled to \$148,384.81. SO ORDERED.

DATED: March 17, 2014



Louis H. Kornreich, Chief Judge
U. S. Bankruptcy Court