

*Railway Company, and SPCSL Corp.—Trackage Rights Exemption—Burlington Northern Railroad Company Lines Between Dalhart, TX, and Fort Worth, TX.* The settlement agreement further provides that SP shall also be granted: Access to all industries which are served directly or by reciprocal switching by either BN or Santa Fe at Amarillo, TX, at Plainview, TX, and at Lubbock, TX; and access to the Seagraves, Whiteface and Lubbock Railroad at Lubbock, TX. *See BN/Santa Fe*, slip op. at 85.

The settlement agreement provides that the various rights granted therein will be effective upon consummation of common control of BN and Santa Fe, which can occur no earlier than September 22, 1995. *See BN/Santa Fe*, slip op. at 117.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: Paul A. Cunningham, Harkins Cunningham, 1300 19th Street, N.W., Suite 600, Washington, D.C. 20036.

As a condition to the use of this exemption, any employees adversely affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: August 25, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 95-21745 Filed 8-31-95; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 32722]

**Southern Pacific Transportation Company, The Denver And Rio Grande Western Railroad Company, St. Louis Southwestern Railway Company, and SPCSL Corp.—Trackage Rights Exemption—The Atchison, Topeka and Santa Fe Railway Company Lines Between Kansas City, KS, and Fort Worth, TX, and Between Hutchinson, KS, and Winfield Junction, KS**

The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) has agreed to grant Southern Pacific Transportation Company, The Denver and Rio Grande Western Railroad Company, St. Louis Southwestern Railway Company, and

SPCSL Corp. (collectively, SP) overhead trackage rights over Santa Fe's lines: between Kansas City, KS, and Fort Worth, TX (via Olathe, KS, and Cassoday, KS); and between Hutchinson, KS, and Winfield Junction, KS (via Wichita, KS). The Kansas City-Fort Worth trackage rights will run between Kansas City (in the vicinity of Santa Fe's Emporia Subdivision Milepost 1.7) and Fort Worth (in the vicinity of Santa Fe's Fort Worth Subdivision Milepost 345.6). The Hutchinson-Winfield Junction trackage rights will run between Hutchinson (in the vicinity of Santa Fe's La Junta Subdivision Milepost 216.4) and Winfield Junction (in the vicinity of Santa Fe's Arkansas City Subdivision Milepost 249.7).

These trackage rights have been granted pursuant to a settlement agreement dated April 13, 1995, which was entered into by SP, on the one side, and by Santa Fe and the Burlington Northern Railroad Company (BN), on the other side, in connection with the Finance Docket No. 32549 proceeding. *See Burlington Northern Inc. and Burlington Northern Railroad Company—Control and Merger—Santa Fe Pacific Corporation and The Atchison, Topeka and Santa Fe Railway Company*, Finance Docket No. 32549 (ICC served Aug. 23, 1995) (*BN/Santa Fe*).

The settlement agreement provides that the Kansas City-Fort Worth and Hutchinson-Winfield Junction trackage rights will be overhead rights only, subject to the access rights indicated in the next sentence. Under the terms of the settlement agreement, SP will receive access to: Industries served directly or by reciprocal switching by BN or Santa Fe at Wichita; industries at Hutchinson, through the present reciprocal switching arrangements; the Central Kansas Railway at Wichita; and the South Kansas and Oklahoma Railroad at Winfield, KS.

The settlement agreement provides that the various rights granted therein will be effective upon consummation of common control of BN and Santa Fe, which can occur no earlier than September 22, 1995. *See BN/Santa Fe*, slip op. at 117.

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: Paul A. Cunningham, Harkins

Cunningham, 1300 19th Street, NW., Suite 600, Washington, DC 20036.

As a condition to the use of this exemption, any employees adversely affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: August 25, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 95-21747 Filed 8-31-95; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 32721]

**Southern Pacific Transportation Company, et al.—Trackage Rights Exemption—The Atchison, Topeka and Santa Fe Railway Company Lines Between Hutchinson, KS, and Chicago, IL, and Between Topeka, KS, and Kansas City, KS**

The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) has agreed to grant Southern Pacific Transportation Company, The Denver and Rio Grande Western Railroad Company, St. Louis Southwestern Railway Company, and SPCSL Corp. (collectively, SP) overhead trackage rights over Santa Fe's lines: between Hutchinson, KS, and Chicago, IL (via Ottawa, KS); and between Topeka, KS, and Kansas City, KS. The Hutchinson-Chicago trackage rights will run between Hutchinson (in the vicinity of Santa Fe's La Junta Subdivision Milepost 220.9) and Chicago (in the vicinity of Santa Fe's Chillicothe Subdivision Milepost 14.3 at McCook, IL, and in the vicinity of Santa Fe's Chillicothe Subdivision Milepost 7.3 at Nerska, IL). The Topeka-Kansas City trackage rights will run between Topeka (in the vicinity of Santa Fe's Topeka Subdivision Milepost 52.4) and Kansas City (in the vicinity of Santa Fe's Emporia Subdivision Milepost 1.7).

These trackage rights have been granted pursuant to a settlement agreement dated April 13, 1995, which was entered into by SP, on the one side, and by Santa Fe and the Burlington Northern Railroad Company (BN), on the other side, in connection with the Finance Docket No. 32549 proceeding. *See Burlington Northern Inc. and Burlington Northern Railroad Company—Control and Merger—Santa Fe Pacific Corporation and The Atchison, Topeka and Santa Fe Railway Company*, Finance Docket No. 32549