

date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

By order of the Commission.

Issued: September 12, 1995.

Donna R. Koehnke,

Secretary.

[FR Doc. 95-23328 Filed 9-19-95; 8:45 am]

BILLING CODE 7020-02-P

[Investigation No. 337-TA-371]

Notice

In the matter of Certain Memory Devices with Increased Capacitance and Products Containing Same.

Notice is hereby given that the prehearing conference in this matter that was to commence at 10 a.m. on September 18, 1995, in Courtroom B (Room 111), U.S. International Trade Commission Building, 500 E St. S.W., Washington, D.C., and the hearing commencing immediately thereafter (60 Fed. Reg. 46626) are postponed until 10 a.m. on November 6, 1995, in Courtroom A (Room 100) at the same address.

The Secretary shall publish this notice in the Federal Register.

Issued: September 12, 1995.

Sidney Harris,

Administrative Law Judge.

[FR Doc. 95-23329 Filed 9-19-95; 8:45 am]

BILLING CODE 7020-02-P

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32678]

Rio Valley Railroad, Inc., and Rio Valley Switching Company—Acquisition and Operation Exemption—Certain Lines of Missouri Pacific Railroad Company in Cameron County, TX

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 11343-45, subject to standard labor protective conditions, the acquisition by Rio Valley Railroad, Inc. (RVRI), and the operation by Rio Valley Switching Company (RVSC) of 9.124 miles of rail line (the line known as the Rio Hondo Industrial Lead) between milepost 0.066 at or near San Benito, and milepost 9.19 at or near Rio Hondo, in Cameron County, TX.¹

DATES: This exemption is effective on October 20, 1995. Petitions to stay must be filed by October 5, 1995.

Petitions to reopen must be filed by October 16, 1995.

ADDRESSES: Send pleadings, referring to Finance Docket No. 32678, to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, D.C. 20423-0001; and (2) Petitioners' representative: Thomas F. McFarland, Jr., Belnap, Spencer, McFarland & Herman, 20 North Wacker Drive, Suite 3118, Chicago, IL 60606-3101.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927-5610. (TDD for the hearing impaired: (202) 927-5721.)

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., Interstate Commerce

¹ RVRI also seeks to acquire and RVSC seeks to operate what they term as "incidental overhead trackage rights." These rights extend over 8.11 miles of MP's rail line extending between milepost 27.50 near Harlingen, and milepost 19.39 at or near San Benito, also in Cameron County, TX, thereby extending the operations of RVRI and RVSC a total of 17.234 miles from Harlingen to Rio Hondo via San Benito.

Exemption of the acquisition of incidental trackage rights pertains to qualifying instances in transactions under 49 U.S.C. 10901. See 49 CFR 1150.31(a)(4). Because the acquisition of the trackage rights at issue here is governed by 49 U.S.C. 11343 and is covered by a class exemption, petitioners should file a notice of exemption with the Commission under 49 CFR 1180.2(d)(7), which would provide notice of its qualification to acquire these rights under the class exemption.

Commission Building, 1201 Constitution Avenue, N.W., Room 2229, Washington, D.C. 20423-0001. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721.]

Decided: September 7, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioners Simmons and McDonald.

Vernon A. Williams,

Secretary.

[FR Doc. 95-23311 Filed 9-19-95; 8:45 am]

BILLING CODE 7035-01-P

[Ex Parte No. 388 (Sub-No. 29)]

Intrastate Rail Rate Authority—South Carolina

AGENCY: Interstate Commerce Commission.

ACTION: Notice of provisional recertification.

SUMMARY: The State of South Carolina has filed an application for recertification. The Commission, under *State Intrastate Rail Rate Authority*, 5 I.C.C.2d 680, 685 (1989), provisionally recertifies the State of South Carolina to regulate intrastate rail rates, classifications, rules, and practices. After its review, the Commission will issue a recertification decision or take other appropriate action.

DATES: This provisional recertification will be effective on September 20, 1995.

FOR FURTHER INFORMATION CONTACT: Elaine Sehrt-Green (202) 927-5269 or Beryl Gordon (202) 927-5610. (TDD for hearing impaired: (202) 927-5721.)

Decided: September 13, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-23309 Filed 9-19-95; 8:45 am]

BILLING CODE 7035-01-P

Release of Waybill Data

The Commission has received a request from the Association of American Railroads, for permission to use certain data from the Commission's 1986 through 1994 I.C.C. Waybill Samples. A copy of the request (WB448—8/30/95) may be obtained from the I.C.C. Office of Economic and Environmental Analysis.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections

with the Director of the Commission's Office of Economic and Environmental Analysis within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 927-6196.

Vernon A. Williams,
Acting Secretary.

[FR Doc. 95-23305 Filed 9-19-95; 8:45 am]

BILLING CODE 7035-01-P

Release of Waybill Data

The Commission has received a request from Consolidated Rail Corporation, for permission to use certain data from the Commission's 1992 through 1994 I.C.C. Waybill Samples. A copy of the request (WB454-9/7/95) may be obtained from the I.C.C. Office of Economic and Environmental Analysis.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to this request, they should file their objections with the Director of the Commission's Office of Economic and Environmental Analysis within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.8.

Contact: James A. Nash, (202) 927-6196.

Vernon A. Williams,
Acting Secretary.

[FR Doc. 95-23306 Filed 9-19-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32751]

Consolidated Rail Corporation and CSX Transportation, Inc.—Rationalization of Facilities Exemption

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10505, the Commission exempts from the prior approval requirements of 49 U.S.C. 11343-45 the rationalization by lease and trackage rights of certain joint facilities, subject to standard labor protective conditions. It is contemplated that the transaction would vest control of each joint facility in the carrier making the greatest use thereof: CSX Transportation, Inc., (CSXT) would lease the Consolidated Rail Corporation (Conrail) facility at Lansing, MI—that segment of Conrail's Lansing Branch between milepost 36.80, at Michigan Avenue, and milepost 37.86, at Grand River Avenue—and grant back to

Conrail trackage rights to operate thereover; Conrail would lease CSXT's facility at Toledo, OH—that segment of CSXT's Rockwell Branch between the connection with Conrail at Rockwell Junction and the connection with track of the former Toledo Terminal Railroad (now owned and operated by CSXT) at the limit of Walbridge Interlocking—and grant back to CSXT trackage rights to operate thereover.

DATES: The exemption will be effective October 20, 1995 unless stayed. Petitions to stay must be filed by October 5, 1995 and petitions to reopen must be filed by October 16, 1995.

ADDRESSES: An original and 10 copies of all pleadings, referring to Finance Docket No. 32751, must be filed with the Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of all pleadings must be served on John J. Paylor, 2001 Market Street—16A, Philadelphia, PA 19101, and on Charles M. Rosenberger, 500 Water Street, J-150, Jacksonville, FL 32202.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. (TDD for the hearing impaired: (202) 927-5721.)

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the decision, write to, call, or pick up in person from Dynamic Concepts, Inc., Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359. (Assistance for the hearing-impaired is available through TDD at (202) 927-5721.)

Decided: September 11, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioners Simmons and McDonald.

Vernon A. Williams,
Secretary.

[FR Doc. 95-23310 Filed 9-19-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32757]

Fordyce & Princeton Railroad Company—Purchase Exemption—Line of Ashley, Drew & Northern Railway Company

Fordyce & Princeton Railroad Company (FP) has filed a notice of exemption for FP to purchase from its corporate affiliate, Ashley, Drew & Northern Railway Company (ADN), approximately 5 miles of ADN's rail line

after ADN abandons and discontinues operations over its entire line.¹ The involved line extends between milepost 4.7 at Whitlow Junction, AR, to milepost 0.0 at Crossett, AR, including 1,941 feet of ancillary track running east from milepost 0.5 to the Arkansas Louisiana & Mississippi Railroad (ALM) interchange at Crossett. FP currently operates over this line pursuant to a trackage rights agreement with ADN.² FP states that that agreement gives it the option to purchase the involved line if ADN abandons and discontinues operations.

The purchase transaction is expected to be consummated on the effective date of ADN's proposed abandonment in Docket No. AB-455X.

Because the parties are members of the same corporate family, and the purchase will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers operating outside the corporate family, the transaction qualifies for the class exemption at 49 CFR 1180.2(d)(3). The purpose of the transaction is to preserve FP's access to Crossett and the ALM interchange after ADN abandons its rail line.

As a condition to use of this exemption, any employees adversely affected by the transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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: Eugenia Langan, Shea & Gardner, 1800 Massachusetts Avenue, N.W., Washington, DC 20036.

Decided: September 14, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-23307 Filed 9-19-95; 8:45 am]

BILLING CODE 7035-01-P

¹ FP and ADN are wholly owned subsidiaries of Georgia-Pacific Corporation. Concurrent with the filing of this notice, ADN filed a petition in *Ashley, Drew & Northern Railway Company—Abandonment Exemption—in Ashley and Drew Counties, AR*, Docket No. AB-455X, seeking an exemption to abandon its entire line.

² See *Fordyce and Princeton Railroad Company, Inc.—Purchase (Portion)—Chicago, Rock Island and Pacific Railroad Company, Debtor (William M. Gibbons, Trustee) Between Fordyce and Crossett, AR*, Finance Docket No. 29541 (ICC served Mar. 3, 1981).