

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.<sup>1</sup>

**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

<sup>1</sup> 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