

stated above. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 C.F.R. 201.6. Documents for which confidential treatment is granted by the Commission will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and sections 210.53, 210.56, and 210.58 of the Commission's Interim Rules of Practice and Procedure (19 C.F.R. 210.53, 210.56, and 210.58).

Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

By order of the Commission.

Issued: September 22, 1995.

Donna R. Koehnke,
Secretary.

[FR Doc. 95-24071 Filed 9-27-95; 8:45 am]

BILLING CODE 7020-02-P

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32775]

Burlington Northern Railroad Company; Trackage Rights Exemption; Keokuk Junction Railway

Keokuk Junction Railway (KJ) has agreed to grant overhead trackage rights to Burlington Northern Railroad Company (BN) as follows: (1) Between milepost 176.63 and milepost 176.91, (2) between milepost 177.13 and milepost 177.22, and (3) between milepost 177.31 and milepost 177.58, at Keokuk, IA, a distance of approximately .64 miles. The proposed transaction will allow for improved operating efficiencies by the carriers. The trackage

rights were scheduled to become effective on September 15, 1995.

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 automatically stay the transaction. Pleadings must be filed with the Commission and served on: Michael E. Roper, 3800 Continental Plaza, 777 Main St., Fort Worth, TX 76102-5384.

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: September 19, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-24098 Filed 9-27-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32778]

Marietta Industrial Enterprises, Inc.—Merger Exemption—Little Kanawha River Rail, Inc.

Marietta Industrial Enterprises, Inc. (MIE), filed a notice of exemption to merge Little Kanawha River Rail, Inc. (LKRR), into the operations of MIE, the parent company of LKRR. Under the plan of merger, MIE will assume LKRR's 3.1-mile right-of-way and associated property between Ohio River Junction, WV (Valuation Station 2+90, Valuation Section 61.1, Map 65a) to South Parkersburg, WV (end of tract 44+65, Valuation Section 58.1, Map 51). The transaction was consummated on July 31, 1995.¹

Because the parties are members of the same corporate family, and the merger 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 allow for

¹ Under the Commission's rules governing rail class exemptions, the exemption becomes effective 7 days after the verified notice is filed. 49 CFR 1150.32(b). The parties may consummate the underlying transaction on or after the exemption's effective date. 49 CFR 1180.4(g)(1). This notice was filed on May 18, 1995, but publication was delayed due to an administrative error.

better operating economies and improved financial viability for MIE.

As a condition to the 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: John L. Alden, One East Livingston Avenue, Columbus, OH 43215-5700.

Decided: September 22, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-24101 Filed 9-27-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32774]

Southern Pacific Transportation Company; Trackage Rights Exemption; Union Pacific Railroad Company

Union Pacific Railroad Company (UP) has granted trackage rights to Southern Pacific Transportation Company (SP) over approximately 13,000 feet of UP connecting and access trackage in Oakland, CA, to connect SP's existing trackage at Oakland with an industrial property on UP known as "Schnitzer Steel."¹ The trackage rights were

¹ On August 4, 1995, Union Pacific Corporation, Union Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Pacific Railroad Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company filed a notice of intent to file a control and merger application in Finance Docket No. 32760. Under 49 CFR 1180.4(c)(2)(vi), any proceeding directly related to an application in a major transaction must be filed concurrently with the primary application. It does not appear that this notice is directly related to the intended application. SP, UP, and other interested persons are invited to comment on the relationship, if any, between this notice and the merger application to be filed in Finance Docket No. 32760.

Additionally, within 10 days after publication of this notice of exemption, SP must file a copy of the trackage rights agreement. 49 CFR 1180.4(g)(1)(i) and 1180.6(a)(7)(ii). If SP wishes to protect any commercially or competitively sensitive information in the agreement, as it suggests in its verified notice, it may file another, redacted version of the agreement for the public docket along with a request to keep the confidential copy under seal and outside of the public docket and to refrain from otherwise disclosing its contents to the public. The redacted version should adhere to the pagination scheme of the confidential version but should redact those details that warrant confidential treatment.