

subject to standard labor protective conditions.

DATES: This exemption will be effective on November 4, 1995. Petitions to stay must be filed by October 20, 1995, and petitions to reopen must be filed by October 30, 1995.

ADDRESSES: Send pleadings referring to Finance Docket No. 32738 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, D.C. 20423; and (2) Petitioner's representative, Robert J. Cooney, Norfolk Southern Railway Company, Three Commercial Place, Norfolk, VA 23510-2191.

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 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 services (202) 927-5271.]

Decided: September 26, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-24779 Filed 10-4-95; 8:45 am]

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[Finance Docket No. 32771]

Southern Pacific Transportation Company, The Denver and Rio Grande Western Railroad Company, St. Louis Southwestern Railway Company, and SPCSL Corp.—Trackage Rights Exemption—The Wichita Union Terminal Railway Company Lines in Wichita, KS

The Wichita Union Terminal Railway Company (Wichita Union) 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 Wichita Union's lines between The Atchison, Topeka and Santa Fe Railway Company's (Santa Fe) milepost 211.7 and milepost 213.2 in Wichita, KS.

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 Burlington Northern Railroad Company (BN) and Santa Fe, on the other side, in connection with the consolidation proceeding in *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).

SP's trackage rights over Wichita Union are necessary to enable SP to exercise the trackage rights which Santa Fe has granted to SP over Santa Fe's lines between Hutchinson and Winfield Junction, KS. See *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*, Finance Docket No. 32722 (ICC served Sept. 1, 1995). The settlement agreement further provides that SP's trackage rights are subject to access rights. 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 occurred on 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: September 26, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-24780 Filed 10-4-95; 8:45 am]

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JUDICIAL CONFERENCE OF THE UNITED STATES

Hearings of the Judicial Conference Advisory Committees on Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, and Rules of Evidence

AGENCY: Judicial Conference of the United States Advisory Committees on Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, and Rules of Evidence.

ACTION: Notice of Open Hearings.

SUMMARY: The Advisory Committees on Rules of Appellate, Bankruptcy, Civil, and Criminal Procedure, and Rules of Evidence have proposed amendments to the following rules:

Appellate Rules: 26.1, 29, 35, & 41;
Bankruptcy Rules: 1019, 2002, 2007.1, 3014, 3017, 3018, 3021, 8001, 8002, 9011, 9035, & new rules 1020, 3017.1, 8020, & 9015;
Civil Rules: 9, 26, 47, & 48;
Criminal Rules: 24; and
Evidence Rules: 103, 407, 801, 803, 804, 806, & new rule 807. Also, the committee seeks comment on its tentative decision not to amend 24 rules.

Public hearings will be held on the amendments to: Appellate Rules in Denver, Colorado on January 22, 1996; Bankruptcy Rules in Washington, DC on February 9, 1996; Civil and Criminal Rules (Joint Hearings) in Oakland California on December 15, 1995, and in New Orleans, Louisiana on February 9, 1996; Civil Rules in Atlanta, Georgia on January 26, 1996; and Evidence Rules in New York, New York on January 18, 1996.

The Judicial Conference Committee on Rules of Practice and Procedure submits these rules for public comment. All comments and suggestions with respect to them must be placed in the hands of the Secretary as soon as convenient and, in any event, no later than March 1, 1996.

Anyone interested in testifying should write to Mr. Peter G. McCabe, Secretary, Committee on Rules on Practice and Procedure, Administrative Office of the United States Courts, Washington, DC 20544, at least 30 days before the hearing.