filed by November 13, 1995. Petitions to

stay must be filed by November 16.

condition must be filed by November

21, 1995. Petitions to reopen must be

all pleadings, referring to Docket No.

AB-433 (Sub-No. 2X), must be filed

with: (1) The Office of the Secretary,

Case Control Branch, Interstate

Commerce Commission, 1201

DC 20423; and (2) Petitioner's

representative: Robert A. Wimbish,

FOR FURTHER INFORMATION CONTACT:

Joseph H. Dettmar, (202) 927-5660.

[TDD for the hearing impaired: (202)

St., NW., Washington, DC 20036.

ADDRESSES: An original and 10 copies of

Constitution Avenue, NW., Washington,

REA, CROSS & AUCHINCLOSS, 1920 N

1995. Requests for a public use

filed by November 27, 1995.

connecting operations between the line RVRI leases from MP and the line RVRI is acquiring from MP.

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: Thomas F. McFarland, Jr., Belnap, Spencer, McFarland & Herman, 20 North Wacker Drive, Suite 3118, Chicago, IL 60606-3101.

As a condition to 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: October 25, 1995.

By the Commission, Joseph H. Dettmar. Acting Director, Office of Proceedings. Vernon A. Williams Secretary.

[FR Doc. 95-27139 Filed 10-31-95; 8:45 am] BILLING CODE 7035-01-P

[Docket No. AB-433 (Sub-No. 2X)]

Idaho Northern & Pacific Railroad Company—Abandonment Exemption in Washington and Adams Counties, ID

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10505, the Commission exempts Idaho Northern & Pacific Railroad Company from the prior approval requirements of 49 U.S.C. 10903-04 to: (1) Abandon approximately 83.1 miles of rail line between milepost 1.0 near Weiser and milepost 84.1 at Rubicon, in Washington and Adams Counties, ID; and (2) discontinue trackage rights over a line currently owned and operated by Union Pacific Railroad Company between milepost 0.0 and milepost 1.0 in Weiser, ID. The exemption will be subject to environmental, public use, and standard labor protective conditions.

DATES: The exemption will be effective on December 1, 1995. Formal expressions of intent to file an offer 1 of financial assistance under 49 CFR 1152.27(c)(2) and requests for NITU/rail banking under 49 CFR 1152.29 must be

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 DC News & Data, 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 at (202) 927-5721.]

Decided: October 23, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioners Simmons and McDonald. Commissioner McDonald did not participate in the disposition of this proceeding. Vernon A. Williams,

Secretary.

927-5721.]

[FR Doc. 95-27140 Filed 10-31-95; 8:45 am] BILLING CODE 7035-01-P

[Docket No. AB-310X]

Utah Railway Company-Abandonment Exemption—in Carbon County, UT

Utah Railway Company (UTAH) has filed a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments to abandon approximately 3.6 miles of rail line between milepost 0.0 at Jacobs and milepost 3.6 at Spring Canyon, in Carbon County, UT.1

UTAH has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) no overhead traffic moves over the line; (3) no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (service of environmental report on agencies), 49 CFR 1105.8 (service of historic report on State Historic Preservation Officer), and 49 CFR 1152.50(d)(1) (service of verified notice on governmental agencies) have been met.

As a condition to use of this exemption, any employee affected by the abandonment shall be protected under Oregon Short Line R. Co.-Abandonment—Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on December 1, 1995 (unless stayed pending reconsideration). Petitions to stay that do not involve environmental issues,2 formal expressions of intent to file offers of financial assistance under 49 CFR 1152.27(c)(2), and trail use/rail banking statements under 49 CFR 1152.29 must be filed by November 13, 1995.4 Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 21, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to applicant's representative: J. E. West, III, Utah Railway Company, 340 Hardscrabble Road, P. O. Box 261, Helper, UT 84526.

¹ See Exempt. of Rail Abandonment-Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

¹ Pursuant to 49 CFR 1152.50(d)(2), the railroad must file a verified notice with the Commission at least 50 days before the abandonment or discontinuance is to be consummated. The applicant, in its verified notice, indicated a proposed consummation date of November 30, 1995. Because the verified notice was not filed until October 12, 1995, consummation should not have been proposed to take place before December 1, 1995. Applicant's representative has corrected the notice to state that the proposed consummation date is December 1, 1995.

² A stay will be issued routinely where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See Exemption of Out-of-Service Rail Lines, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental grounds is encouraged to file promptly so that the Commission may act on the request before the effective date.

³ See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

⁴The Commission will accept late-filed trail use statements so long as it retains jurisdiction.