

Comments on the following assessment are due 30 days after the date of availability:

None.

Vernon A. Williams,

Secretary.

[FR Doc. 95-28639 Filed 11-22-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32800]

Columbus and Steens Junction Railway, Inc.; Trackage Rights Exemption; Columbus and Greenville Railway Company

Columbus and Steens Junction Railway, Inc. (CSJ), a noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to acquire local trackage rights over a 8.54-mile line of railroad,¹ owned by Columbus and Greenville Railway Company (C&G). The trackage rights include: (1) The rail line of C&G lying between the north boundary line of U.S. Highway No. 182 (milepost 0.5) and the western terminus of the former main line track of C&G (milepost 6.54), a distance of 6.04 miles, and (2) the main tracks in C&G's Columbus, MS, rail yard between the yard limits on the north and east (milepost 935.0) and South Seventh Avenue on the south, a distance of 2.5 miles, including wye tracks adjacent to the C&G shop, in Lowndes County, MS.² The trackage rights were scheduled to become effective on November 2, 1995, the effective date of the exemption.

Any comments must be filed with the Commission and served on: Eric M. Hocky, 213 W. Miner Street, P.O. Box 796, West Chester, PA 19381-0796.

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.

Decided: November 17, 1995.

¹ The class exemption at 49 CFR 1150.31 is properly invoked here, as 49 U.S.C. 10901 governs an acquisition of trackage rights by a noncarrier.

² C&G states that, under the trackage rights agreement, CSJ will have the nonexclusive right to serve all industrial side tracks and team tracks appurtenant to the subject line as well as the right to use its existing rail terminals located along or adjacent thereto. If the industrial, side, and team tracks that CSJ intends to acquire trackage rights over are an integral part of a continuous movement in interstate commerce, then the tracks are not covered by 49 U.S.C. 10907(b)(1) and the Commission has jurisdiction over the transaction. Accordingly, the exemption here applies to such track if it is used in interstate commerce.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-28640 Filed 11-22-95; 8:45 am]

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[Docket No. AB-167 (Sub-No. 1153X)]

Consolidated Rail Corporation—Abandonment Exemption—in Niagara County, NY

Consolidated Rail Corporation (Conrail) has filed a verified notice under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to abandon approximately 3.5 miles of rail line at or near Lockport, in Niagara County, NY. The involved lines are (1) the Gulf Line Industrial Track, between milepost 25.30± and the end of the track at milepost 26.60±, and (2) the Lockport Industrial Track between milepost 24.50± and the end of the track at milepost 26.70±.

Conrail has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by 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 complainant's favor within the last 2 years; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 and 1152.50(d)(1) (notice to government agencies), and 49 CFR 1105.12 (newspaper publication) have been met.

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

This exemption will be effective December 20, 1995, unless stayed or a statement of intent to file an offer of financial assistance (OFA) is filed. Petitions to stay that do not involve environmental issues,¹ statements of

¹ The Commission will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Commission in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C. 2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Commission may take appropriate action before the exemption's effective date.

intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by November 30, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by December 11, 1995. An original and 10 copies of any such filing must be sent to the Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423. In addition, one copy must be served on John J. Paylor, Consolidated Rail Corporation, Two Commerce Square, 2001 Market Street, P.O. Box 41416, Philadelphia, PA 19101.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Conrail has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Commission's Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by November 24, 1995. A copy of the EA may be obtained by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: November 13, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-28529 Filed 11-22-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-55 (Sub-No. 515X)]

CSX Transportation, Inc.—Abandonment Exemption—in Jefferson County, FL

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152, Subpart F—*Exempt Abandonments* to abandon its 1.85-mile line of railroad extending between milepost SPB-772.15 and milepost SPB-774.0 at the end of the track, in Drifton, Jefferson County, FL.

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

³ The Commission will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

CSXT has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by 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 has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely 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 (OFA) has been received, this exemption will be effective on December 21, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by December 1, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by December 11, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, 500 Water St., J150, Jacksonville, FL 32202.

¹ A stay will be issued routinely by the Commission in those proceedings 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 before 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 concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request before the effective date of this exemption.

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

³ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by November 24, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: November 16, 1995.

By the Commission, David M. Konschnick, Director, Office of Proceedings.
Vernon A. Williams,
Secretary.

[FR Doc. 95-28528 Filed 11-22-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-39 (Sub-No. 19X)]

St. Louis Southwestern Railway Company—Abandonment Exemption—in Smith County, TX

St. Louis Southwestern Railway Company (Cotton Belt) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 3.54-mile line of railroad, known as the Lufkin Branch, from milepost 549.46 near rail station Lufkin Junction, to the end of the line at milepost 553.0, in Tyler, Smith County, TX. Cotton Belt proposes to consummate the abandonment on December 22, 1995.¹

Cotton Belt has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) overhead traffic is non-existent since this is a stub-end of a branchline; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding

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 December 21, 1995. Because the verified notice was not filed until November 2, 1995, consummation should not have been proposed to take place before December 22, 1995. Applicant's representative has subsequently agreed that the proposed consummation date is December 22, 1995.

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 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely 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 (OFA) has been received, this exemption will be effective on December 24, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29⁴ must be filed by December 4, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by December 14, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Gary A. Laakso, One Market Plaza, Room 846, San Francisco, CA 94105.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

Cotton Belt has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis

² A stay will be issued routinely by the Commission in those proceedings 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 concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request before the effective date of this exemption.

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

⁴ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.