

Although G&F will operate over the line, LOP&G will retain a residual obligation to provide common carrier service. The parties intended to consummate the transaction on or after December 15, 1995.

This transaction is related to Finance Docket No. 32834, *Georgia & Florida Railroad Co., Inc.—Amended Trackage Rights Exemption—Georgia Southern and Florida Railway Company*, a concurrently filed notice of exemption under 49 CFR 1180.2(d)(7), in which G&F seeks to amend its existing trackage rights to be able to handle certain traffic to and from the subject line.

This notice is filed under 49 CFR 1150.31. 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.

Any comments must be filed 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: Mark H. Sidman, Suite 800, 1350 New York Ave., NW., Washington, DC 20005-4797.³

Decided: December 20, 1995.

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

[FR Doc. 96-151 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32811]

Live Oak, Perry & Georgia Railroad Company, Inc.—Acquisition and Operation Exemption—Line of Georgia Southern and Florida Railway Company and Norfolk Southern Railway Company

Live Oak, Perry & Georgia Railroad Company, Inc. (LOP&G), a noncarrier, has filed a notice of exemption to acquire and operate approximately 83.05 miles of rail line from Norfolk Southern Railway Company (NS) and its subsidiary, Georgia Southern and

miles of railroad between Sparks and Valdosta, GA. See *Georgia & Florida Railroad Co., Inc.—Acquisition, Lease, and Operation Exemption—Norfolk Southern Railway Company*, Finance Docket No. 32680 (ICC served May 5, 1995).

³Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address.

Florida Railway Company (GS&F), as follows: (1) From milepost GB 1.0 at Adel, GA, to milepost 77.3 at Perry, FL, in Cook, Lowndes, and Brooks Counties, GA, and Madison and Taylor Counties, FL; and (2) from milepost LO 45.75 at Perry, FL, to milepost 39.0 at Foley, FL, in Taylor County, FL. The transaction was expected to be consummated on or after December 15, 1995.

As part of the agreement between the parties, NS and GS&F will acquire incidental trackage rights over a portion of the rail line between milepost GB 1.0, at Adel, GA, and milepost GB 3.0 for the purpose of serving Weyerhaeuser Corp., and any successors exclusively, and serving on a non-exclusive basis industries that subsequently locate on that portion of the rail line.

This proceeding is related to Finance Docket No. 32813, *H. Peter Claussen and Linda C. Claussen—Continuance in Control Exemption—Live Oak, Perry & Georgia Railroad Company, Inc.*, where H. Peter and Linda C. Claussen (the Claussens), noncarrier individuals, have concurrently filed a petition for exemption to continue to control LOP&G and seven other rail carriers upon LOP&G's becoming a carrier.¹

Also concurrently filed, in Finance Docket No. 32812, *Georgia & Florida Railroad Co., Inc.—Operation Exemption—Live Oak, Perry & Georgia Railroad Company*, is a notice of exemption where Georgia & Florida Railroad Co., Inc. (G&F) seeks an exemption to operate over the line to be acquired by LOP&G. LOP&G will retain a residual common carrier obligation to provide service over the rail line.

Any comments must be filed with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission,² 1201 Constitution Avenue, NW., Washington, DC 20423. A copy of any pleading filed with the Commission should be sent to applicant's representative: Mark H. Sidman, Suite 800, 1350 New York

¹ Although the Claussens will own all of the outstanding stock of LOP&G, they have placed this stock in an irrevocable voting trust pending Commission action on the petition filed in Finance Docket No. 32813. The Claussens now control through stock ownership seven other rail common carriers: Georgia & Florida Railroad Co., Inc.; Albany Bridge Company; Gulf & Ohio Railways, Inc. (operating under the trade names Mississippi Delta Railroad in Mississippi and Atlantic & Gulf Railroad in Georgia); Wiregrass Central Railroad Company, Inc.; H&S Railroad Company, Inc.; Piedmont & Atlantic Railroad Co., Inc.; and Rocky Mount & Western Railroad Co., Inc.

² Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address.

Avenue, NW., Washington, DC 20005-4797.

This notice is filed under 49 CFR 1150.31. 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: December 19, 1995.

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

[FR Doc. 96-152 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32842]

Norfolk Southern Railway Company and Norfolk and Western Railway Company—Trackage Rights Exemption—Burlington Northern Railroad Company

Burlington Northern Railroad Company (BN) has agreed to grant overhead trackage rights to Norfolk Southern Railway Company (NSR) and Norfolk Western Railway Company (NW), collectively referred to as NS, over a 112-mile line of railroad between milepost 10.2, at Jacksonville, IL, and milepost 122.3, at Centralia, IL. NW is a class I railroad controlled through stock ownership by NSR. NSR and its rail carrier subsidiaries operate a rail system extending throughout the Southeast and Midwest.

NS contends that the trackage rights will enable it to have more efficient routing of its trains. Currently, NS receives coal trains in interchange from The Union Pacific Railroad Company at E. St. Louis, IL. These trains then move over NS trackage from E. St. Louis for delivery at Coffeen, IL. The BN trackage rights will allow NS to receive coal trains in interchange at Worden, IL, and move to Coffeen via NS to Litchfield, then over BN's trackage rights between Litchfield/Winston and Sorento and NS Sorento to Coffeen. NS also claims that the trackage rights will enable it to rationalize the E. St. Louis-Sorento portion of its E. St. Louis-Coffeen line. The trackage rights will become effective on June 1, 1996.

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

Commission¹ and served on: Robert J. Cooney, Norfolk Southern Corporation, 3 Commercial Place, Norfolk, VA 23510-2191.

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).

Dated: December 29, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 96-153 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32747]

Raymond L. Ortman—Continuance in Control Exemption—Winamac Southern Railway Company, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission under 49 U.S.C. 10505 exempts from the prior approval requirements of 49 U.S.C. 11343-44 the continuance in control by Raymond L. Ortman of the Winamac Southern Railway Company, Inc. (WSR), subject to standard labor protective conditions. The petition for exemption was filed because of the Ortman family interests in Kokomo Grain Company and Central Properties, Incorporated, which controls Central Railroad Company of Indianapolis and Central Railroad Company of Indiana. In order to insulate himself from unauthorized control during the pendency of this proceeding, Mr. Ortman placed all of his shares of WSR stock into an independent voting trust.

DATES: This exemption will be effective on February 4, 1996. Petitions to stay must be filed by January 16, 1996. Petitions to reopen must be filed by January 25, 1996.

ADDRESSES: Send pleadings, referring to Finance Docket No. 32747 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission,¹ 1201

¹ Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is currently under consideration. Until further notice, parties submitting pleadings should continue to use the current name and address.

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Constitution Avenue, N.W., Washington, DC 20423; and (2) Thomas F. McFarland, Jr., 20 North Wacker Drive, Suite 3118, Chicago, IL 60606-3101.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [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: DC NEWS & DATA, INC., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721.]

Decided: December 27, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,
Secretary.

[FR Doc. 96-154 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32766]¹

Portland & Western Railroad, Inc.—Lease and Operation Exemption—Burlington Northern Railroad Company

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10505, the Commission exempts Portland & Western Railroad, Inc. (PNWR) from the prior approval requirements of 49 U.S.C. 11343-45 to lease from Burlington Northern Railroad Company (BN) and operate five branch lines totaling approximately 52.94 miles of railroad in Oregon,² specifically: (1) 1.96 miles between BN milepost 16.87 near Bowers Junction and BN milepost 18.83 near Bendemeer; (2) 10.77 miles between BN milepost 17.07 at Bowers Junction and BN milepost 27.84 near Banks; (3) 5.60 miles between BN milepost 4.68 near Hillsboro and BN milepost 10.28 near Forest Grove; (4) 1.19 miles between BN milepost 25.52 near St. Marys Junction and BN milepost 26.71 near St. Marys;

¹ This proceeding is related to *Portland & Western Railroad, Inc.—Trackage Rights Exemption—Burlington Northern Railroad Company*, Finance Docket No. 32765 (ICC served Oct. 13, 1995; 60 FR 53434).

² BN is also assigning to PNWR 4.2 miles of overhead trackage rights over a line of Port of Tillamook Bay Railroad between Banks and Schefflin that are necessary to connect the BN lines.

and (5) 33.42 miles between BN milepost 31.28 near Greton and BN milepost 64.70 near Hopmere, subject to the standard employee protective conditions.

DATES: The exemption is effective on February 4, 1996. Petitions to stay must be filed by January 22, 1996. Petitions to reopen must be filed by January 30, 1996.

ADDRESSES: Send pleadings referring to Finance Docket No. 32766 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission,³ 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Eric M. Hocky, P.O. Box 796, 213 West Miner St., West Chester, PA 19381-0796.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [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: DC NEWS & DATA, INC., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: December 27, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,
Secretary.

[FR Doc. 96-155 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-32 (Sub-No. 64X)]

Boston and Maine Corporation—Abandonment Exemption—Rensselaer County, NY¹

Boston and Maine Corporation (B&M) has filed a verified notice under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to abandon the 5.04-mile Bennington Branch line between

³ Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is currently under consideration. Until further notice, parties submitting pleadings should continue to use the current name and address.

¹ The notice of exemption published October 25, 1995 (60 FR 54706) did not provide adequate notice of the proposed abandonment (the abandoning railroad was inadvertently identified as CSX Transportation, Inc.). The defect in the notice prevented the exemption from taking effect as originally scheduled. This notice corrects the ministerial error.