

political subdivision of the State of Texas, has filed a verified notice of exemption under 49 CFR Part 1150, Subpart D—*Exempt Transaction* to: (1) Acquire and operate 31.0-miles of rail line from St. Louis Southwestern Railway Company (SSW) from milepost 524.0 to milepost 555.0 in Hopkins, Delta, and Hunt Counties, TX; and (2) to obtain trackage rights from milepost 524.0 to milepost 517.0 a distance of 7 miles, in the vicinity of Sulphur Springs, TX. NETEX was expected to consummate the transaction on December 15, 1995.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to Finance Docket No. 32841, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Paul D. Angenend, SAEGERT, ANGENEND & AUGUSTINE, P. O. Box 410, Austin, TX 78767-0410.

Decided: January 19, 1996.

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

[FR Doc. 96-1334 Filed 1-25-96; 8:45 am]

BILLING CODE 4915-00-P

[Finance Docket No. 32838]

**R.J. Corman Railroad Company/
Pennsylvania Lines, Inc.—Acquisition
and Operation Exemption—Lines of
Consolidated Rail Corporation**

R.J. Corman Railroad Company/
Pennsylvania Lines, Inc. (RJCP), a non-

prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior

carrier, has filed a verified notice under 49 CFR Part 1150, Subpart D—*Exempt Transactions* to acquire and operate approximately 230.4 miles of rail lines of Consolidated Rail Corporation (Conrail) known as the "Clearfield Cluster" in Centre, Clinton, Clearfield, Jefferson, Indiana and Cambria Counties, PA. RJCP also will acquire by assignment from Conrail incidental trackage rights over approximately 7.8 miles of rail lines between Clearfield and Curwensville, PA, owned by the Clearfield and Mahoning Railway Company. The transaction was to have been consummated on December 29, 1995.

This proceeding is related to *Richard J. Corman—Continuance in Control Exemption—R.J. Corman Railroad Company/Pennsylvania Lines, Inc.*, Finance Docket No. 32939, wherein Richard J. Corman has concurrently filed a verified notice to continue to control R.J. Corman Railroad Company/Pennsylvania Lines, Inc. upon its becoming a rail carrier.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to Finance Docket No. 32838, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, Washington, DC 20423. In addition, a copy of each pleading must be served on Kevin M. Sheys, Oppenheimer Wolff & Donnelly, 1020 Nineteenth Street NW., Suite 400, Washington, DC 20036.

Decided: January 23, 1996.

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

[FR Doc. 96-1332 Filed 1-25-96; 8:45 am]

BILLING CODE 4915-00-P

[Finance Docket No. 32839]¹

**Richard J. Corman—Continuance in
Control Exemption—R.J. Corman
Railroad Company/Pennsylvania Lines,
Inc.**

Richard J. Corman (Corman), a non-carrier, has filed a verified notice under

to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted

49 CFR 1180.2(d)(2) to continue in control of R.J. Corman Railroad Company/Pennsylvania Lines, Inc. (RJCP) on RJCP's becoming a carrier. RJCP, a new entity within the R.J. Corman family, was created to acquire from Consolidated Rail Corporation (Conrail) approximately 238.2 miles of rail lines and trackage rights known as the "Clearfield Cluster" in Centre, Clinton, Clearfield, Jefferson, Indiana and Cambria Counties, PA. The transaction was to have been consummated on December 29, 1995.

This proceeding is related to *R.J. Corman Railroad Company/Pennsylvania Lines, Inc.—Acquisition and Operation Exemption—Lines of Consolidated Rail Corporation*, Finance Docket No. 32838, wherein RJCP will acquire 230.4 miles of rail lines of Conrail, and to acquire by assignment from Conrail incidental trackage rights over approximately 7.8 miles of railroad owned by the Clearfield and Mahoning Railway Company.

The transaction is exempt from the prior approval requirements of 49 U.S.C. 11343 because: (1) the properties of RJCP will not connect with any other railroad in the R.J. Corman corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect RJCP with any other railroad in the R.J. Corman corporate family; and (3) the transaction does not involve a class I carrier.

As a condition to this exemption, any employees adversely affected by the trackage rights will be protected under *New York Doc Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to Finance Docket No. 32839, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board,

on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.

Washington, DC 20423. In addition, a copy of each pleading must be served on Kevin M. Sheys, Oppenheimer Wolff & Donnelly, 1020 Nineteenth Street NW., Suite 400, Washington, DC 20036.

Decided: January 23, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-1331 Filed 1-25-96; 8:45 am]

BILLING CODE 4915-00-P

Surface Transportation Board ¹

[Finance Docket No. 32855]

Alamo Gulf Coast Railroad Company— Lease and Operation Exemption— Certain Lines of Southern Pacific Transportation Company

Alamo Gulf Coast Railroad Company (AGCRC) has filed a notice of exemption to acquire by lease and to operate 5 miles of rail line owned by the Southern Pacific Transportation Company (SPT) from milepost 252 to milepost 257, near Beckmann Station, in Bexar County, TX. The proposed transaction is to be consummated on the date of final agreement of the parties, or on the effective date of the notice, whichever occurs later.²

Any comments must be filed with the Surface Transportation Board, 1201 Constitution Ave., NW., Washington, DC 20423 and served on: Richard A. Allen, Zuckert, Scoutt & Rasenberger, L.L.P., Suite 600, 888 17th Street, NW., Washington, DC 20006-3959.

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. 10502(d) [formerly 10505(d)] may be filed any time. The filing of a petition to revoke will not stay the transaction.

Decided: January 23, 1996.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of the legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901. Therefore, this notice applies the law in effect prior to the Act.

² Under 49 CFR 1150.32(b), the notice of exemption is effective 7 days after it is filed. The notice was filed on December 29, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-1494 Filed 1-25-96; 8:45 am]

BILLING CODE 4915-00-P

[Docket No. AB-3 (Sub-No. 128X)]; [Docket
No. AB-456 (Sub-No. 1X)]

Missouri Pacific Railroad Company— Abandonment Exemption— in Henry County, MO and Missouri and Northern Arkansas Railroad—Discontinuance of Service Exemption—in Henry County, MO

Missouri Pacific Railroad Company (MP) and Missouri and Northern Arkansas Railroad (MNA) have filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments and Discontinuances for MP to abandon and MNA to discontinue service over a segment of MP's Clinton Branch line (known as the FPE Spur-Clinton line) extending between milepost 262.6 at the end of the line near FPE Spur and milepost 267.0 near Clinton, a distance of approximately 4.4 miles in Henry County, MO.

MP and MNA certify that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic; (3) no formal complaint filed by a user of rail service on this 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 Board or 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 report), 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.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

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. 10502(d) [formerly 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 February 25, 1996, 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 statements under 49 CFR 1152.29 must be filed by February 5, 1996.⁴ Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by February 15, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, NW, Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicants' representatives: Joseph D. Anthofer, Missouri Pacific Railroad Company, 1416 Dodge Street #830, Omaha, NE 68179 and Henry E. Weller, 514 N. Orner Street, P.O. Box 776, Carthage, MO 64836.

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

MP and MNA have filed an environmental report which addresses the effects of the abandonment and discontinuance, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by January 31, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, 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 becomes available to the public.

Environmental, historic preservation, public use, or other trail use/rail banking conditions will be imposed,

² The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board 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 stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

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

⁴ The Board will accept a late-filed trail use request so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.