

miles of rail lines of Chicago & Illinois Midland Railway Company (CIMR), in the State of Illinois. IMR also seeks to acquire the interest of CIMR in 25.4 miles of overhead trackage rights in the State of Illinois. The transaction was to have been consummated on or about February 8, 1996.

GWI also controls through stock ownership 9 other nonconnecting class III rail carriers: Genesee & Wyoming Railroad Company; Dansville and Mount Morris Railroad Company; Rochester & Southern Railroad, Inc.; Louisiana & Delta Railroad, Inc.; Buffalo & Pittsburgh Railroad, Inc.; Bradford Industrial Rail, Inc.; Allegheny & Eastern Railroad, Inc.; Willamette & Pacific Railroad, Inc.; and GWI Switching Services.²

The transaction is exempt from the prior approval requirements of 49 U.S.C. 11323 [formerly section 11343] because: (1) The railroads will not connect with each other or with any railroad in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or with any railroad in their 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 transaction 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. 10502(d) [formerly section 10505(d)] may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32863, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Ave., N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.O. Box 796, 213 West Miner St., West Chester, PA 19381-0796.

Decided: February 22, 1996.

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

[FR Doc. 96-4794 Filed 2-29-96; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 32862]

**Illinois & Midland Railroad, Inc.;
Acquisition and Operation Exemption;
Chicago & Illinois Midland Railway
Company**

Illinois & Midland Railroad, Inc. (IMR), a noncarrier, has filed a notice of exemption to acquire and operate 98 miles of rail lines of Chicago & Illinois Midland Railway Company (CIMR) extending from milepost 10 at Pekin to milepost 87 at Springfield, and extending from milepost 100 at Cimic to milepost 121 at Taylorville, in the State of Illinois. IMR will also acquire the interest of CIMR in 25.4 miles of overhead trackage rights over: (1) The line of railroad of Peoria & Pekin Union Railway Company extending from milepost 0.0 at Peoria to milepost 10 at Pekin; and (2) the line of railroad of Illinois Central Railroad Company extending from milepost 191.9 at Springfield to milepost 207.3 at Cimic, in the State of Illinois. The transaction was to have been consummated on or about February 8, 1996.

This proceeding is related to *Genesee & Wyoming, Inc.—Continuance in Control Exemption—Illinois & Midland Railroad, Inc.*, STB Finance Docket No. 32863, wherein Genesee & Wyoming, Inc., has concurrently filed a notice of exemption to continue to control IMR upon its becoming a rail carrier.

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 reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) [formerly section 10505(d)] may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction. An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32862, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Ave., N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on

¹ The ICC Termination Act of 1995, Pub. L. 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 to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

Eric M. Hocky, Esq., Gollatz, Griffin & Ewing, P.O. Box 796, 213 West Miner St., West Chester, PA 19381-0796.

Decided: February 22, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-4793 Filed 2-29-96; 8:45 am]

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[STB Finance Docket No. 32858]

**Illinois Central Corporation and Illinois
Central Railroad Company; Control;
CCP Holdings, Inc., Chicago, Central &
Pacific Railroad Company and Cedar
River Railroad Company**

AGENCY: Surface Transportation Board.

ACTION: Notice of acceptance of application.

SUMMARY: The Board accepts for consideration the application filed January 31, 1996, by Illinois Central Corporation (IC Corp.), Illinois Central Railroad Company (ICR), CCP Holdings, Inc. (Holdings), Chicago, Central and Pacific Railroad Company (CCPR), and Cedar River Railroad Company (CRRC) (collectively referred to as applicants) for approval and authorization of IC Corp.'s acquisition of control of CCPR and CRRC through ownership of the stock of Holdings, CCPR/CRRC's parent. IC Corp. already controls ICR through ownership of all of ICR's stock.² In accordance with 49 CFR 1180.4(b)(2)(iv), the Board finds that this is a minor transaction as described in 49 CFR 1180.2(c).

DATES: This decision is effective on March 1, 1996. Written comments, including comments from the Secretary of Transportation and the Attorney General of the United States, must be filed with the Board no later than April 1, 1996, and concurrently served on applicants' representatives. The Board will issue a service list shortly thereafter. Comments must be served on all parties of record within 5 days after the Board issues the service list and confirmed by certificate of service filed with the Board indicating that all designated individuals and

¹ The ICC Termination Act of 1995, Pub. L. 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 to the Surface Transportation Board (Board). This notice relates to a railroad acquisition of control transaction that is subject to Board jurisdiction pursuant to 49 U.S.C. 11323-25.

² Where appropriate, IC Corp. and ICR are collectively referred to as IC, and CCPR and CRRC are collectively referred to as CC&P.

² Also, GWI has in *Genesee & Wyoming Industries, Inc.—Continuance in Control Exemption—Portland & Western Railroad*, Finance Docket No. 32759, a pending petition for exemption to continue in control of a connecting Class III railroad.