

application to impose and use the revenue from a PFC at Port Columbus International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before June 24, 1996.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Larry Hedrick, Executive Director of the Columbus Municipal Airport Authority at the following address: Port Columbus International Airport, 4600 International Gateway, Columbus, Ohio 43219.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Columbus Municipal Airport Authority under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Ms. Mary W. Jagiello, Program Manager, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111 (313) 487-7296. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Port Columbus International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On May 14, 1996, the FAA determined that the application to impose and use the revenue from a PFC submitted by Columbus Municipal Airport Authority was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than July 21, 1996.

The following is a brief overview of the application.

PFC Application No.: 96-05-C-00-CMH

Level of the PFC: \$3.00

Actual charge effective date: October 1, 1992

Proposed charge expiration date:

September 1, 1997

Total estimated PFC revenue:

\$9,437,955

Brief description of proposed project(s):

Runway 10L-28R Improvements

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER**

INFORMATION CONTACT.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application at the Columbus Municipal Airport Authority.

Issued in Des Plaines, Illinois on May 17, 1996.

Benito De Leon,

Manager, Planning/Programming Branch, Airports Division, Great Lakes Region.

[FR Doc. 96-13160 Filed 5-23-96; 8:45 am]

BILLING CODE 4910-13-M

Surface Transportation Board ¹

[STB Finance Docket No. 32901]

H. Peter Claussen and Linda C. Claussen—Continuance in Control Exemption—Lexington & Ohio Railroad Co., Inc.

H. Peter Claussen and Linda C. Claussen, noncarrier individuals (Applicants), have filed a notice of exemption to continue in control of Lexington & Ohio Railroad Co., Inc. (L&O), upon L&O's becoming a Class III rail carrier.

The transaction was expected to be consummated on or after May 10, 1996.

This proceeding is related to *Lexington & Ohio Railroad Co., Inc.—Acquisition and Operation Exemption—Norfolk Southern Railway Company*, STB Finance Docket No. 32900, wherein L&O seeks to acquire and operate certain rail lines from the Norfolk Southern Railway Company.

Applicants own and control eight existing Class III common carriers by rail: Live Oak, Perry & Georgia Railroad Company, Inc., operating in Florida and Georgia; Georgia & Florida Railroad, Co., Inc., operating in Florida and Georgia; Albany Bridge Company, operating in Georgia; Gulf & Ohio Railways, Inc.,

operating under the trade name of Mississippi Delta Railroad in Mississippi and under the trade name of Atlantic & Gulf Railroad in Georgia; Wiregrass Central Railroad Company, Inc., operating in Alabama; H&S Railroad, Inc., operating in Alabama; Piedmont & Atlantic Railroad, Inc., operating in North Carolina; and Rocky Mount & Western Railroad Co., Inc., operating in North Carolina.

Applicants state that: (i) The railroads will not connect with each other or any railroad in their corporate family; (ii) the acquisition of control is not part of a series of anticipated transactions that would connect the nine railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32901, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Paul C. Oakley, Weiner, Brodsky, Sidman & Kider, P.C., Suite 800, 1350 New York Avenue, N.W., Washington, DC 20005-4797.

Decided: May 17, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-13129 Filed 5-23-96; 8:45 am]

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¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission 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. 11323-24.