

1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Karl Morell, Ball, Janik & Novack, Suite 1035, 1101 Pennsylvania Avenue NW., Washington, DC 20004.

Decided: May 24, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-13688 Filed 5-30-96; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 32954]

Great Western Railway of Colorado, LLC—Trackage Rights Exemption—Great Western Lines, LLC

Great Western Lines, LLC (GWL), which will become a Class III carrier by virtue of its acquisition in a concurrently filed notice of exemption in *Great Western Lines, LLC—Acquisition Exemption—Burlington Northern Railroad Company*, STB Finance Docket No. 32952 (ICC served May 31, 1996), will agree to grant local and assign overhead trackage rights to Great Western Railway of Colorado, LLC (GWC), also a Class III rail carrier. GWL will grant GWC local trackage rights over GWL's rail lines as follows: (i) between milepost 76.5 at Fort Collins, CO, and milepost 98.9 at Greeley, CO; and (ii) GWL's interchange track at Loveland, CO. GWL will assign to GWC overhead trackage rights being acquired by GWL over Burlington Northern Railroad Company's (BN's) lines as follows: (i) Between milepost 76.5 at Fort Collins, CO, and BN's Rex Rail Yard at Fort Collins; and (ii) all tracks in BN's Rex Rail Yard.

The trackage rights agreement will become effective immediately upon the consummation of the transaction in STB Finance Docket No. 32952.

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.

This notice is filed under 49 CFR 1180.2(d)(7). If it 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. 32954, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Karl Morell, Ball, Janik & Novack, 1101 Pennsylvania Avenue NW., Washington, DC 20004.

Decided: May 24, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-13686 Filed 5-30-96; 8:45 am]

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[STB Finance Docket No. 32953]

Neptune Partners, Ltd.—Continuance in Control Exemption—Great Western Lines, LLC

Neptune Partners, Ltd. (Neptune), a noncarrier, has filed a notice of exemption to continue in control of Great Western Lines, LLC (GWL), upon GWL's becoming a Class III rail carrier.

The transaction was expected to be consummated on or after May 20, 1996.

This transaction is related to STB Finance Docket No. 32952, *Great Western Lines, LLC—Acquisition Exemption—Burlington Northern Railroad Company*, wherein GWL seeks to acquire certain rail lines from the Burlington Northern Railroad Company.

Neptune owns and controls one existing Class III common carrier by rail: Northern Ohio & Western Railway, LLC (NOWRR), operating in Ohio.

Neptune states that: (i) the railroads will not connect with each other; (ii) the continuance in control is not part of a series of anticipated transactions that would connect GWL with NOWRR; 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. 32953, 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 Karl Morell, Ball, Janik & Novack, 1101 Pennsylvania Avenue, N.W., Suite 1035, Washington, DC 20004.

Decided: May 24, 1996.

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

Vernon A. Williams,

Secretary.

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[STB Finance Docket No. 32959]

Union Pacific Railroad Company—Trackage Rights Exemption—Chicago, Central and Pacific Railroad Company

Chicago, Central and Pacific Railroad Company (CCP) has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP). CCP will grant UP overhead trackage rights in a north-south direction from the point of switch of the connection at CCP milepost 455.8, near Arion, to the point of switch of the connection at CCP milepost 512.2, near Council Bluffs, IA, a total distance of approximately 56.4 miles. The trackage rights are located in

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.

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.

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