

rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire rail lines of Consolidated Rail Corporation in Darke County, OH, extending between: (1) Milepost 151.3, at Ansonia, and milepost 160.64, at Greenville; (2) milepost 95.00 and milepost 94.46, in Meekers; and (3) milepost 92.30 and milepost 96.45, in Greenville, a total distance of approximately 14.03. RJCW will operate the property.

The transaction is scheduled to be consummated on or after July 31, 1996.

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 does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32950, 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: Kevin M. Sheys, Oppenheimer Wolff & Donnelly, 1020 Nineteenth Street, NW., Suite 400, Washington, DC 20036. Telephone: (202) 293-6300.

Decided: July 30, 1996.

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

Vernon A. Williams,
Secretary.

[FR Doc. 96-19834 Filed 8-2-96; 8:45 am]

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[STB Docket No. AB-475X]

New Hampshire and Vermont Railroad Company—Abandonment Exemption—in Coos and Grafton Counties, NH

New Hampshire and Vermont Railroad Company (NHVT) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances* to discontinue service over approximately 38.2 miles of railroad between milepost 149.4 (Station 1302+00 on Val. Sec. 24.2), in Gorham, and milepost 130.5 (Station 314+60 on Val. Sec. 24.2), in Waumbek Junction

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. 10902.

¹The 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 the Board's jurisdiction pursuant to 49 U.S.C. 10903.

(Jefferson), and between milepost 113.0 (Station 995+66 on Val. Sec. 22), in Littleton, and milepost 93.7 (Station 4944+35 on Val. Sec. 21), in Woodsville, in Coos and Grafton Counties, NH.

NHVT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by 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 with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 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 this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. 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) 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 September 4, 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 requests under 49 CFR 1152.29⁴ must be filed by August 15, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by August 26, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's

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

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

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

representative: David H. Anderson, 288 Littleton Road, Suite 21, Westford, MA 01886.

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

NHVT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by August 9, 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 trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: July 29, 1996.

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

Vernon A. Williams,
Secretary.

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[STB Docket No. AB-476 (Sub-No. 1X)]

PL&W, Inc.—Abandonment Exemption—in Columbiana County, OH and Beaver County, PA

PL&W, Inc. (PL&W) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon its entire line of railroad between milepost 0.0 at Negley, in Columbiana County, OH, and the end of the Smith's Ferry Branch at Smith's Ferry, in Beaver County, PA, a distance of 9.0 miles.²

PL&W has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead

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²Under 49 CFR 1152.50(d)(2), the railroad must file a verified notice with the Board at least 50 days before the abandonment or discontinuance is to be consummated. PL&W's verified notice indicated a proposed consummation date of July 31, 1996. Because the verified notice was not filed until July 16, 1996, consummation should not have been proposed to take place prior to September 4, 1996. PL&W's representative has confirmed that the correct consummation date is on or after September 4, 1996.