

VT (milepost 63.78); and (4) a portion of the former Beebe Subdivision, between mileposts 39.04 and 40.21, in or near Newport, VT. The transaction is expected to be consummated as soon as practicable after the exemption is effective and all conditions precedent have been satisfied.<sup>2</sup>

This proceeding is related to STB Finance Docket No. 32982, *Iron Road Railways Incorporated, Benjamin F. Collins, John F. Depodesta, Daniel Sabin, and Robert T. Schmidt—Control Exemption—Bangor and Aroostook Railroad Company, Canadian American Railroad Company, Iowa Northern Railway Company, and The Northern Vermont Railroad Company Incorporated*, wherein Iron Road Railways Incorporated and certain noncarrier individuals have filed a petition for exemption to continue to control NV and three other rail carriers upon NV becoming a carrier.

Any comments must be filed with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, NW., Washington, DC 20423 and applicant's representative: David A. Hirsh, Harkins Cunningham, 1300 19th Street, NW., Suite 600, Washington, DC 20036.

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

Decided: July 19, 1996.

By the Board, David M. Konschnik, Director, Office of Proceedings.  
Vernon A. Williams,  
Secretary.  
[FR Doc. 96-18908 Filed 7-24-96; 8:45 am]  
BILLING CODE 4915-00-P

#### [STB Finance Docket No. 32996]

#### St. Louis Southwestern Railway Company—Trackage Rights Exemption—SPCSL Corp.

SPCSL Corp. has agreed to grant local and overhead trackage rights to St. Louis Southwestern Railway Company over rail lines beginning at a point at or near

<sup>2</sup> This notice of exemption was filed on June 7, 1996, and was scheduled to become effective 7 days later.

<sup>1</sup> 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.

milepost CSL 281 ("Q" Tower) and extending southerly 6.2 miles to milepost CSL 287.2 in the vicinity of Church, IL, and southwesterly 2.84 miles to milepost MM 641.96 in the vicinity of Tolson, IL. The total trackage rights over both routes is approximately 9.04 miles. The trackage rights were to become effective on or after July 12, 1996.

This notice is filed under 49 CFR 1180.2(d)(7). 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 stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32996, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423 and served on: Louis E. Gitomer, Ball Janik LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: July 17, 1996.

By the Board, David M. Konschnik, Director, Office of Proceedings.  
Vernon A. Williams,  
Secretary.  
[FR Doc. 96-18911 Filed 7-24-96; 8:45 am]  
BILLING CODE FR-4915-00-P

#### [STB Finance Docket No. 32959 (Sub-No. 1)]

#### Union Pacific Railroad Company; Trackage Rights Exemption; Chicago, Central & Pacific Railroad Company

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10502, exempts the trackage rights described in STB Finance Docket No. 32959<sup>2</sup> to permit the trackage rights to

<sup>1</sup> 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 (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. 11323.

<sup>2</sup> In *Union Pacific Railroad Company—Trackage Rights Exemption—Chicago, Central and Pacific*

expire on August 1, 1996, in accordance with the agreement of the parties.<sup>3</sup>

DATES: This exemption is effective on August 9, 1996. Petitions to reopen must be filed by August 14, 1996.

ADDRESSES: Send pleadings, referring to STB Finance Docket No. 32959 (Sub-No. 1), to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; (2) Joseph D. Anthofer, Union Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179; and (3) William C. Sippel, Two Prudential Plaza, 45th Floor, 180 North Stetson Avenue, Chicago, IL 60601.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289 4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: July 12, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
Secretary.  
[FR Doc. 96-18910 Filed 7-24-96; 8:45 am]  
BILLING CODE 4915-00-P

#### [Docket No. AB-167 (Sub-No. 1156X)]

#### Consolidated Rail Corporation—Abandonment Exemption—in Lebanon County, PA

AGENCY: Surface Transportation Board.

Railroad Company, STB Finance Docket No. 32959 (STB served May 31, 1996), Chicago, Central & Pacific Railroad Company (CCP) agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) 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 distance of approximately 56.4 miles.

The trackage rights arrangement was necessary because of the rehabilitation of UP's parallel line between Council Bluffs and Arion, IA. The trackage rights have enabled UP to provide uninterrupted rail service and have alleviated congestion during the repair of its track.

<sup>3</sup> Trackage rights normally remain in effect unless discontinuance authority or approval of a new agreement is sought. See *Milford-Bennington Railroad Company, Inc.—Trackage Rights Exemption—Boston and Maine Corporation and Springfield Terminal Railway Company*, Finance Docket No. 32103 (ICC served Sept. 3, 1993).

**ACTION:** Notice of exemption.

**SUMMARY:** The Board exempts from the prior approval requirements of 49 U.S.C. 10903-04 the abandonment by Consolidated Rail Corporation of 3.2 miles of rail line in Lebanon County, PA, subject to trail use, public use, and standard labor protective conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on August 24, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2) <sup>2</sup> and requests for interim trail use/rail banking under 49 CFR 1152.29 must be filed by August 5, 1996, petitions to stay must be filed by August 9, 1996, and petitions to reopen must be filed by August 19, 1996.

**ADDRESSES:** Send pleadings referring to Docket No. AB-167 (Sub-No. 1156X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423, and (2) Petitioner's representative: John J. Paylor, Consolidated Rail Corporation, 2001 Market St.—16A, Philadelphia, PA 19101-1416.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, NW., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: July 11, 1996.

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Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA

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 ICCTA. 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. 10502 and 10903-04. Therefore, this notice applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.

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

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
*Secretary.*

[FR Doc. 96-18906 Filed 7-24-96; 8:45 am]

BILLING CODE 4915-00-P

**[STB Docket No. AB-167 (Sub-No. 1158X)]**

**Consolidated Rail Corporation;  
Abandonment Exemption—in Hudson  
County, NJ**

In the Matter of an Offer of Financial Assistance.

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board exempts from the prior approval requirements of 49 U.S.C. 10903 the abandonment by Consolidated Rail Corporation of approximately 0.90 miles of rail line between milepost 0.00 and milepost 0.90 in Hudson County, NJ, subject to standard labor protective conditions. G.A.C. Kearny, Inc., has filed a formal offer of financial assistance (OFA) to purchase a portion of the line extending between milepost 0.00 and milepost 0.44. Therefore, the effective date of the exemption authorizing abandonment as to this portion of the line will be postponed pending completion of the OFA process.

**DATES:** Provided no formal expression of intent to file an OFA has been received, this exemption will be effective on August 9, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> petitions to stay, and requests for a public use condition conforming to 49 CFR 1152.28(a)(2) must be filed by August 5, 1996. Petitions to reopen must be filed by August 19, 1996.

**ADDRESSES:** Send pleadings referring to STB Docket No. AB-167 (Sub-No. 1158X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423, and (2) Petitioner's representative: John J. Paylor, Consolidated Rail Corporation, 2001 Market St.—16A, Philadelphia, PA 19101-1416.

The ICC Termination Act of 1995, Public Law 104-88, 109 Stat. 803 (ICCTA), 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 ICCTA 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 ICCTA. 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. 10502 and 10903-04. Therefore, this notice applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.

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

**FOR FURTHER INFORMATION CONTACT:**

Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Ave., NW., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: July 18, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
*Secretary.*

[FR Doc. 96-18907 Filed 7-24-96; 8:45 am]

BILLING CODE 4915-00-P

**[Docket No. AB-385 (Sub-No. 2X)]**

**Georgia Southwestern Division, South  
Carolina Central Railroad;  
Abandonment Exemption; Between  
Preston and Omaha, GA**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903-04, the abandonment by the Georgia Southwestern Division, South Carolina Central Railroad of a 40-mile segment of rail line between milepost 713 at Preston and milepost 753 at Omaha in Webster and Stewart Counties, GA, subject to environmental conditions and standard labor protective conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective August 24, 1996. Formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2)

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICCTA), 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 ICCTA 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 ICCTA. 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. 10502 and 10903-04. Therefore, this notice applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.