

requirements of 49 U.S.C. 10903-04 the abandonment by Union Pacific Railroad Company of its 14.98-mile rail line from milepost 133.8 near Edwardsville to milepost 148.78 near Madison in Madison County, IL, subject to standard labor protective conditions, environmental conditions, a 180-day trail use condition, and a 180-day public use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on September 11, 1996. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)³ and additional requests for trail use/rail banking under 49 CFR 1152.29 must be filed by August 22, 1996; petitions to stay must be filed by August 22, 1996; and petitions to reopen must be filed by September 3, 1996. Because the Board is imposing a 180-day public use condition in this proceeding, it is unnecessary to request this condition.

ADDRESSES: Send pleadings referring to Docket No. AB-33 (Sub-No. 98X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert T. Opal 1416 Dodge Street, Room 830, Omaha, NE 68179-0830.

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927-5352. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: August 6, 1996.

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

Vernon A. Williams,
Secretary.

[FR Doc. 96-20475 Filed 8-9-96; 8:45 am]

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

Surface Transportation Board¹

[Docket No. AB-33 (Sub-No. 99X)]²

**Union Pacific Railroad Company—
Abandonment Exemption—Little
Mountain Junction—Little Mountain
Line in Box Elder and Weber Counties,
UT**

Union Pacific Railroad Company (UPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 12.0 miles of the Little Mountain Junction-Little Mountain line (portion of the Little Mountain Branch) from milepost 0.0 near Little Mountain Junction to milepost 12.0 near Little Mountain in Box Elder and Weber Counties, UT.³

UPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (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

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). Section 204(b)(1) of the Act 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 Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

² This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company*.

³ UP states that the abandonment does not include active industries at Little Mountain Junction or Little Mountain, UT. UPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

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. The notice is subject to environmental conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Also in Decision No. 44, the Board has imposed a 180-day trial use condition and a 180-day public use condition.⁴

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),⁵ and trail use/rail banking requests under 49 CFR 1152.29⁶ must be filed by August 22, 1996. Petitions to reopen must be filed by September 3, 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 representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

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

Decided: August 6, 1996.

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

Vernon A. Williams,
Secretary.

[FR Doc. 96-20476 Filed 8-9-96; 8:45 am]

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⁴ Accordingly, it is unnecessary to request a public use condition.

⁵ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁶ The 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.

Surface Transportation Board¹**[Docket No. AB-33 (Sub-No. 94X)]²****Union Pacific Railroad Company—
Abandonment Exemption—Magnolia
Tower-Melrose Line in Alameda
County, CA**

Union Pacific Railroad Company (UPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 4.9 miles of the Magnolia Tower-Melrose line (portion of the Canyon Subdivision) from milepost 5.8 near Magnolia Tower to milepost 10.7 near Melrose, in Alameda County, CA.³

UPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (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

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). Section 204(b)(1) of the Act 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 Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

² This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company*.

³ UPRR states that the abandonment does not include active industries at Magnolia Tower or Melrose, CA. UPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

(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. The notice is subject to environmental and historic preservation conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Also in Decision No. 44, the Board has imposed a 180-day public use condition.⁴ Trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),⁵ and trail use/rail banking requests under 49 CFR 1152.29⁶ must be filed by August 22, 1996. Petitions to reopen must be filed by September 3, 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 representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

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

Decided: August 6, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-20477 Filed 8-9-96; 8:45 am]

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Surface Transportation Board¹**[Docket No. AB-33 (Sub-No. 97X)]²****Union Pacific Railroad Company—
Abandonment Exemption—in DeCamp-
Edwardsville Line in Madison County,
IL**

Union Pacific Railroad Company (UPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon

⁴ Accordingly, it is unnecessary to request a public use condition.

⁵ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁶ The 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.

approximately 14.6 miles of the De Camp-Edwardsville line (portion of the Madison Subdivision)³ from milepost 119.2 near De Camp to milepost 133.8 near Edwardsville, in Madison County, IL.⁴

UPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (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

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). Section 204(b)(1) of the Act 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 Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

² This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company*.

³ This line was formerly part of the St. Louis Subdivision of the Chicago and NorthWestern Railway Company (CNW). See *Union Pacific Corporation, Union Pacific Railroad Company and Missouri Pacific Railroad Company—Control—Chicago and North Western Holdings Corp. and Chicago and North Western Transportation Company*, Finance Docket No. 32133 (ICC served Oct. 1, 1995).

⁴ UPRR states that the abandonment does not include active industries at De Camp or Edwardsville. The Edwardsville industries are included in the abandonment petition filed simultaneously in Docket No. AB-33 (Sub-No. 98X), *Union Pacific Railroad Company—Abandonment Exemption—in Madison County, IL*. UPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.