

Issued in Washington, D.C. on January 8, 1997.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.

[FR Doc. 97-960 Filed 1-14-97; 8:45 am]

BILLING CODE 4910-06-P

Surface Transportation Board

[STB No. MC-F-20903]

Greyhound Lines, Inc.; Acquisition of Control; Los Rapiados, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice tentatively approving finance application.

SUMMARY: Greyhound Lines, Inc. (GLI or applicant), has filed an application under 49 U.S.C. 14303(a) to acquire control of Los Rapiados, Inc. (LRI). Persons wishing to oppose the transaction must follow the rules at 49 CFR 1182, subpart B. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action. If opposing comments are timely filed, this tentative grant of authority will be deemed vacated, and the Board will consider the comments and any replies and will issue a further decision on the application.

DATES: Unless opposing comments are filed, this notice will be effective March 3, 1997. Comments are due by March 3, 1997, and, if any are filed, applicants may reply by March 17, 1997.

ADDRESSES: Send original and 10 copies of any comments referring to STB No. MC-F-20903 to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. Also, send one copy of comments to applicants' representative: Fritz R. Kahn, Suite 750 West, 1100 New York Avenue, N.W., Washington, DC 20005.

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

SUPPLEMENTARY INFORMATION: GLI (MC-1515) is a nationwide motor common carrier of passengers over regular routes that controls the following regional interstate motor passenger carriers: Texas, New Mexico & Oklahoma Coaches, Inc.; Continental Panhandle Lines, Inc.; and Vermont Transit, Inc. LRI (MC-293638) is a motor passenger carrier operating in California in interstate and foreign commerce over regular routes between: Los Angeles and Calexico, at the Mexican border; and between Fresno and San Ysidro, at the Mexican border. As a result of this

control transaction, LRI will become a wholly owned subsidiary of GLI that will be controlled indirectly through Sistema Internacional de Transporte de Autobuses, Inc. (SITA), GLI's wholly owned noncarrier subsidiary.¹

GLI states that its aggregate gross operating revenues, and those of its affiliates, exceed the \$2 million jurisdictional threshold of 49 U.S.C. 14303(g). It asserts that acquisition of control will stimulate competition and improve the quality and adequacy of motor passenger service available to the Hispanic segment of the traveling public. Additionally, it maintains that the transaction will not cause an increase in fixed charges and that no employees will be adversely affected.

Applicant certifies that: (1) Both it and LRI hold satisfactory safety ratings from the U.S. Department of Transportation; (2) they both have sufficient insurance to cover the services they intend to offer; (3) no party to the transaction is either domiciled in Mexico or owned or controlled by persons of that country; and (4) approval of the transaction will not significantly affect either the quality of the human environment or the conservation of energy resources. Additional information may be obtained from applicant's representative.

Under 49 U.S.C. 14303(b), we must approve and authorize a transaction we find consistent with the public interest, taking into consideration at least: (1) the effect of the transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees. We tentatively find, based on the application, that the proposed transaction is consistent with the public interest and should be authorized.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is Ordered

1. The proposed acquisition of control is approved and authorized, subject to the filing of opposing comments.

2. This notice will be effective on March 3, 1997, but will be deemed vacated if opposing comments are filed on or before that date.

3. A copy of this notice will be served on the Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue, N.W., Washington, D.C. 20530.

Decided: January 6, 1997.

¹ SITA on December 2, 1996, entered into a voting trust to permit it to acquire LRI's stock prior to a decision on the merits of this application.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-955 Filed 1-14-97; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 33325]

Lewis & Clark Railway Company, Lease and Operation Exemption; in Clark County, WA

Lewis & Clark Railway Company, a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from Clark County, Washington 3.62 miles of rail line from milepost 3.62 at Rye to milepost 0.0 at Vancouver Junction, in Clark County, WA. Consummation was expected to occur on or after December 24, 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 will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33325, 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 Fritz R. Kahn, P.C., Suite 750 West, 1100 New York Avenue, N.W., Washington, DC 20005.

Decided: January 8, 1997.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-954 Filed 1-14-97; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 33330]

Union County Industrial Railroad Company; Corporate Family Transaction Exemption; West Shore Railroad Corporation

Union County Industrial Railroad Company (UCIR) and West Shore Railroad Corporation (WSRC),¹ Class III

¹ UCIR and WSRC are owned and controlled by Richard D. Robey. UCIR owns and operates approximately 3.9 miles of rail line in the Commonwealth of Pennsylvania, which will be acquired by WSRC in *West Shore Railroad Corporation—Acquisition Exemption—Union County Industrial Railroad Company*, STB Finance Docket No. 33329 (STB served Jan. 15, 1997). WCRC

Continued

railroads, have jointly filed a verified notice of exemption. The exempt transaction is a merger of WSRC into UCIR.

The earliest the transaction could be consummated was December 30, 1996, the effective date of the exemption (7 days after the exemption was filed).

UCIR will provide continuing rail common carrier service on the lines to be acquired by WSRC in STB Finance Docket No. 33329 and those previously operated by WSRC. The merger will improve the overall efficiency of rail operations and reduce costs associated with two corporate entities.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

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 verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33330, 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 Richard R. Wilson, Esq., Vuono & Gray,

operates approximately 8.965 miles of rail line in the Commonwealth of Pennsylvania.

2310 Grant Building, Pittsburgh, PA 15219.

Decided: January 6, 1997.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-952 Filed 1-14-97; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 33320]

**Union Pacific Railroad Company;
Corporate Family Exemption; Missouri
Pacific Railroad Company**

Union Pacific Railroad Company (UP) and Missouri Pacific Railroad Company (MP), Class I railroad affiliates in the Union Pacific System, have filed a joint notice of exemption to undertake a corporate family transaction. Under the Agreement and Plan of Merger, MP will merge with and into UP. UP will be the surviving corporation, and the corporate existence of MP will cease. The proposed transaction was to be consummated on or about January 1, 1997.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers operating outside applicants' corporate family. The purpose of the transaction is to avoid duplicate reporting requirements, and to achieve cost efficiencies which will result through corporate simplification.

As a condition to this exemption, any employees adversely affected by the transaction will be protected under *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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. 33320, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch,

1201 Constitution Avenue, N.W., Washington, DC 20423 and served on: Robert T. Opal, General Attorney, 1416 Dodge Street, #830, Omaha, NE 68179.

Decided: January 8, 1997.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-956 Filed 1-14-97; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 33329]

**West Shore Railroad Corporation;
Acquisition Exemption; Union County
Industrial Railroad Company**

West Shore Railroad Corporation (WSRC), a Class III rail common carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire approximately 3.9 miles of rail line from the Union County Industrial Railroad Company (UCIR) between New Columbia, PA (MP 169.7), and Milton, PA (MP 173.6). UCIR will continue to provide rail common carrier service on behalf of WSRC.

The transaction was expected to be consummated on or after December 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. 33329, 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 Richard R. Wilson, Esq., Vuono & Gray, 2310 Grant Building, Pittsburgh, PA 15219.

Decided: January 6, 1997.

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

Vernon A. Williams,

Secretary.

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BILLING CODE 4915-00-P