

**ADDRESSES:** The meeting will be held in the basement GSA conference room of the Hale Boggs Federal Building, 501 Magazine Street, New Orleans, Louisiana.

**FOR FURTHER INFORMATION CONTACT:** Mr. Monty Ledet, USCG, Recording Secretary, Lower Mississippi River Waterway Safety Advisory Committee, c/o Commander, Eighth Coast Guard District (oan), Room 1211, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, LA 70130-3396, telephone (504) 589-4686.

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is given pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. 2 § 1 et seq. The meeting is open to the public. Members of the public may present written or oral statements at the meeting. The agenda for the meeting consists of the following items:

- (1) Presentation of the minutes from the April 16, 1996 full Committee meeting.
- (2) Subcommittee Reports.
- (3) New Business.
- (4) Adjournment.

Dated: August 14, 1996.

T.W. Josiah,

Rear Admiral, U.S. Coast Guard Commander, Eighth Coast Guard District.

[FR Doc. 96-23520 Filed 9-12-96; 8:45 am]

BILLING CODE 4910-14-M

## Surface Transportation Board <sup>1</sup>

[Finance Docket No. 32760 (Sub-No. 19)]

**Burlington Northern Railroad Company and The Atchison, Topeka and Santa Fe Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., The Denver & Rio Grande Western Railroad Company, and The Southern Illinois & Missouri Bridge Company; [Decision No. 53]**

Union Pacific Railroad Company (UPRR), Missouri Pacific Railroad Company (MPRR),<sup>2</sup> Southern Pacific Transportation Company (SPT), St. Louis Southwestern Railway Company (SSW), SPCSL Corp. (SPCSL), The

Denver & Rio Grande Western Railroad Company (DRGW),<sup>3</sup> and The Southern Illinois & Missouri Bridge Company (SIMBCO)<sup>4</sup> have agreed to grant overhead trackage rights, with certain local access rights to Burlington Northern Railroad Company (BN) and The Atchison, Topeka and Santa Fe Railway Company (SF).<sup>5</sup> These trackage rights are related to the recently approved UP/SP merger in *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*. See Finance Docket No. 32760 (STB served Aug. 12, 1996) (Decision No. 44). These trackage rights, which provide for local access as specified in Decision No. 44, consist of three categories.

The first category consists of trackage rights that were provided for in an agreement entered into on April 18, 1996, by UP/SP, BNSF, and the Chemical Manufacturers Association (CMA). These trackage rights are over: (1) UP's lines—(a) Houston, TX—Longview, TX, (b) Longview, TX—Texarkana, AR, (c) Texarkana, AR—North Little Rock, AR, (d) North Little Rock, AR—Poplar Bluff, MO, (e) Poplar Bluff, MO—Dexter, MO, (f) SIMBCO, IL—Valley Junction, L, and (g) Bald Knob, AR—Fair Oaks, AR; (2) SP's lines—Fair Oaks, AR—Illmo, MO, via Jonesboro, AR, and Dexter Junction, MO; and (3) SIMBCO's lines—Illmo, MO—SIMBCO, IL.

The second category consists of trackage rights over SPT's line between Elvas, CA, in the vicinity of SPT's Fresno Line milepost 136.2 and Stockton, CA, in the vicinity of SPT's Fresno Line milepost 88.9.

The third category consists of trackage rights over: (1) MPRR's main line near Avondale, LA, between MPRR milepost 14.29 and milepost 14.11; and (2) SPT's line near Avondale, LA, between SPT milepost 14.94 and SPT's milepost 9.97 in the vicinity of Westbridge Junction, LA.

The transaction is scheduled to be consummated on, or as soon as possible after, September 11, 1996.

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).

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 Finance Docket No. 32760 (Sub-No. 19), 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: (1) Paul A. Conley, Jr., Assistant Vice President-Law, 1416 Dodge Street, #830, Omaha, NE 68179; (2) Louis P. Warchot, Associate General Counsel, One Market Plaza, San Francisco, CA 94105; and (3) Richard E. Weicher, Vice President and General Counsel, 6th Floor, 1700 East Golf Road, Schaumburg, IL 60173-5860.

Decided: September 9, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-23504 Filed 9-12-96; 8:45 am]

BILLING CODE 4915-00-P

[STB Finance Docket No. 33047]

**Cascade and Columbia River Railroad Company—Acquisition and Operation Exemption—Lines of Burlington Northern Railroad Company**

Cascade and Columbia River Railroad Company (CCRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 131.2 miles of rail line from the Burlington Northern Railroad Company (BN) between Oroville Subdivision milepost 6.0, north of Olds Junction, WA, and the northern end of the rail line, at about Oroville Subdivision milepost 137.2, in Oroville, WA. In addition, CCRR will acquire incidental overhead trackage rights from BN to operate between Oroville Subdivision milepost 6.0, north of Olds Junction, WA, and Oroville Subdivision

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. 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.

<sup>2</sup> UPRR and MPRR are referred to collectively as UP.

<sup>3</sup> SPT, SSW, SPCSL and DRGW are referred to collectively as SP.

<sup>4</sup> SIMBCO is jointly owned by MPRR and SSW.

<sup>5</sup> BN and SF are referred to collectively as BNSF.

<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. 10901.

milepost 1650.2, in Wenatchee, WA, including over any and all tracks in BN's Wenatchee, WA, rail yard for the sole purpose of interchanging freight cars and equipment between CCRR and BN and no other party at the Wenatchee rail yard.

The transaction was expected to be consummated on or after the September 4, 1996 effective date of the exemption. This transaction is related to STB Finance Docket No. 33048, *RailAmerica, Inc.—Continuance in Control Exemption—Cascade and Columbia River Railroad Company*, wherein RailAmerica, Inc. has concurrently filed a verified notice to continue in control of CCRR, upon its becoming a Class III rail carrier.

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 revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33047, 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 Edward D. Greenberg, Esq., Galland, Kharasch, Morse & Garfinkle, P.C., Canal Square, 1054 Thirty-First Street, N.W., Washington, DC 20007.

Decided: September 5, 1996.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.  
Vernon A. Williams,  
Secretary.

[FR Doc. 96-23501 Filed 9-12-96; 8:45 am]

BILLING CODE 4915-00-P

#### [STB Finance Docket No. 33048]

##### **RailAmerica, Inc.—Continuance in Control Exemption—Cascade and Columbia River Railroad Company**

RailAmerica, Inc. (RailAmerica), a noncarrier, has filed a notice of exemption to continue in control of Cascade and Columbia River Railroad Company (CCRR), upon CCRR's becoming a Class III rail carrier.

<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.

The transaction was expected to be consummated on or after the September 4, 1996 effective date of the exemption.

This transaction is related to STB Finance Docket No. 33047, *Cascade and Columbia River Railroad Company—Acquisition and Operation Exemption—Lines of Burlington Northern Railroad Company*, wherein CCRR seeks to acquire and operate certain rail lines from Burlington Northern Railroad Company.

RailAmerica owns and controls seven existing Class III common carrier railroads operating in six states: Evansville Terminal Company, Inc.; Huron & Eastern Railway Company, Inc.; Saginaw Valley Railway Company, Inc.; West Texas & Lubbock Railroad Company, Inc.; Plainview Terminal Company; the Dakota Rail, Inc.; and the South Central Tennessee Railroad Company.

RailAmerica states that: (i) the railroads will not connect with each other or any railroads in their corporate family; (ii) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; 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. 33048, 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 Edward D. Greenberg, Esq., Galland, Kharasch, Morse & Garfinkle, P.C., Canal Square, 1054 Thirty-First Street, N.W., Washington, DC 20007.

Decided: September 5, 1996.

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

Vernon A. Williams,  
Secretary.

[FR Doc. 96-23502 Filed 9-12-96; 8:45 am]

BILLING CODE 4915-00-P

#### [Finance Docket No. 32760 (Sub-No. 18)]

##### **Utah Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., the Denver & Rio Grande Western Railroad Company; [Decision No. 54]**

Union Pacific Railroad Company (UPRR), Missouri Pacific Railroad Company (MPRR),<sup>2</sup> Southern Pacific Transportation Company (SPT), St. Louis Southwestern Railway Company (SSW), SPCSL Corp. (SPCSL), The Denver & Rio Grande Western Railroad Company (DRGW),<sup>3</sup> have agreed to grant overhead trackage rights, with certain local access rights, over a line of railroad of DRGW to Utah Railway Company (UTAH). These trackage rights are related to the recently approved UP/SP merger in *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*. See Finance Docket No. 32760 (STB served Aug. 12, 1996) (Decision No. 44). The overhead trackage rights extend from milepost 628.8, near Utah Railway Junction, UT, to milepost 450.0, near Grand Junction, CO, a total distance of approximately 178.8 miles, in Carbon, Emory and Grand Counties, UT, and Mesa County, CO. Utah will have the right to interchange at Utah Railway Junction and Grand Junction with UP/SP and the Burlington Northern Railroad Company and The Atchison, Topeka and Santa Fe Railway Company. The local rights are for Utah to have access to the coal loading facility of Savage Industries, Inc., Savage Coal

<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.

<sup>2</sup> UPRR and MPRR are referred to collectively as UP.

<sup>3</sup> SPT, SSW, SPCSL and DRGW are referred to collectively as SP.