

Dated: November 26, 1997.

Joel C. Richard,

Secretary.

[FR Doc. 97-31561 Filed 12-1-97; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Sec. 5a Application No. 61]

National Classification Committee—Agreement

AGENCY: Surface Transportation Board.

ACTION: Extension of deadlines for filing comments.

SUMMARY: The Surface Transportation Board is granting a 3-week extension of the deadlines for filing opening and reply comments in this proceeding. All other dates and deadlines remain the same.

DATES: Opening comments are now due by January 29, 1998. Reply comments are now due by February 26, 1998.

ADDRESSES: Send an original and 10 copies of notices of intent to participate (still due by November 28, 1997) and comments, referring to "Section 5a Application No. 61," to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423. Opening and reply comments must be served on the persons identified as "parties of record" on the service list.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION: This proceeding involves the issue of whether, under 49 U.S.C. 13703(d) and (e), it is in the public interest to renew the bureau agreement of the National Classification Committee, which administers the National Motor Freight Classification. For additional information, see the notice published in the **Federal Register** on November 13, 1997.

Decided: November 25, 1997.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams,
Secretary.

[FR Doc. 97-31629 Filed 12-1-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33509]

Colorado, Kansas & Pacific Railway Company—Acquisition and Operation Exemption—Union Pacific Railroad Company

Colorado, Kansas & Pacific Railway Company (Colorado), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Union Pacific Railroad Company and to operate approximately 121.9 miles of rail line between milepost 747.5, near Towner, and milepost 869.4, near NA Junction, in Kiowa, Crowley, and Pueblo Counties, CO (Line).¹

The transaction was expected to be consummated on or about November 17, 1997.

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. 33509, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, Esq., Rea, Cross & Auchincloss, 1920 N Street, N.W., Suite 420, Washington, DC 20036.

Decided: November 25, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-31556 Filed 12-1-97; 8:45 am]

BILLING CODE 4915-00-P

¹ The Line was the subject of an application for abandonment in Docket No. AB-3 (Sub-No. 130), *Missouri Pacific Railroad Company—Abandonment—Towner-NA Junction Line in Kiowa, Crowley, and Pueblo Counties, CO*, and discontinuance of trackage rights operations in the embraced Docket No. AB-8 (Sub-No. 38), *The Denver and Rio Grande Western Railroad Company—Discontinuance of Trackage Rights—Towner-NA Junction Line in Kiowa, Crowley and Pueblo Counties, CO*. The abandonment and discontinuance were granted 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, SPCSC Corp., and The Denver and Rio Grand Western Railroad Company*, Finance Docket No. 32760 (STB served Aug. 12, 1996). Colorado indicates that the abandonment was never consummated.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33412]

Peter A. Gilbertson, H. Terry Hearst, Bruce A. Lieberman, R. Lawrence McCaffrey, Jr., Harold F. Parmly, and Anacostia Rail Holdings Company—Continuance in Control Exemption—Pacific Harbor Line, Inc.

Peter A. Gilbertson, H. Terry Hearst, Bruce A. Lieberman, R. Lawrence McCaffrey, Jr., and Harold F. Parmly (Gilbertson, *et al.*), noncarrier individuals, and Anacostia Rail Holdings Company (ARC), a noncarrier holding company (collectively Applicants), have filed a verified notice of exemption to continue in control of Pacific Harbor Line, Inc. (PHL) upon PHL's becoming a Class III rail carrier.

The transaction was expected to be consummated on or after November 15, 1997.

This transaction is related to STB Finance Docket No. 33411, *Pacific Harbor Line, Inc.—Operation Exemption—Port of Los Angeles*, in which PHL seeks to acquire operating rights within the City of Los Angeles' Port of Los Angeles (POLA) to provide switching service on track owned by POLA.

Applicants own and control two existing Class III common carriers by rail: Louisville & Indiana Railroad Company, operating in Southern Indiana and Northern Kentucky; and the New York & Atlantic Railway Company, operating within the State of New York. With the exception of R. Lawrence McCaffrey, Jr., each of Gilbertson, *et al.* is an officer and/or director of the Chicago SouthShore & South Bend Railroad Corporation (CSS), a Class III common carrier by rail, operating in Northern Illinois and Northern Indiana. In addition, Gilbertson *et al.* are minority shareholders in CSS's corporate general partner SouthShore Corporation, a noncarrier.

Applicants state that: (i) the railroads will not connect with each other or any railroad 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. 33412, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Mark H. Sidman, Esq., Weiner, Brodsky, Sidman & Kider, P.C., 1350 New York Avenue, N.W., Suite 800, Washington, DC 20005-4797.

Decided: November 24, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-31559 Filed 12-1-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33411]

Pacific Harbor Line, Inc.—Operation Exemption—Port of Los Angeles

Pacific Harbor Line, Inc. (PHL), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire operating rights from the City of Los Angeles, a municipal corporation, acting through its Board of Harbor Commissioners (LA). PHL will acquire the right to operate within LA's Port of Los Angeles (POLA) to provide switching services on track owned by POLA.¹

The transaction was expected to be consummated in phases on or after November 15, 1997.

This transaction is related to STB Finance Docket No. 33412, *Peter A. Gilbertson, H. Terry Hearst, Bruce A. Lieberman, R. Lawrence McCaffrey, Jr., Harold F. Parmly, and Anacostia Rail*

Holdings—Continuance in Control Exemption—Pacific Harbor Line, Inc., in which Peter A. Gilbertson, H. Terry Hearst, Bruce Lieberman, R. Lawrence McCaffrey, Jr., Harold F. Parmly and Anacostia Rail Holdings Company have filed a notice of exemption to continue in control of PHL 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. 33411, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Mark H. Sidman, Esq., Weiner, Brodsky, Sidman & Kider, P.C., 1350 New York Avenue, N.W., Suite 800, Washington, DC 20005-4797.

Decided: November 24, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-31558 Filed 12-1-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33525]

Sierra Railroad Company—Acquisition and Operation Exemption—Sierra Pacific Industries

Sierra Railroad Company, a Class III rail common carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire and operate approximately 12 miles of rail line in Amador County, CA, known as the Amador Branch, from Sierra Pacific Industries (Sierra Pacific). The Amador Branch extends from milepost 0.0, in Ione, to milepost 12.0, at Martell.¹

The transaction is scheduled to be consummated on December 1, 1997.

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. 33525, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on James F. Flint, Esq., Grove, Jaskiewicz and Cobert, 1730 M Street, NW., Suite 400, Washington, DC 20036.

Decided: November 24, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-31560 Filed 12-1-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-57 (Sub-No. 43X)]

Soo Line Railroad Company—Abandonment Exemption—in St. Louis County, MN

Soo Line Railroad Company (Soo) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon an approximately 3.0+-mile line of railroad known as the West Duluth Line, between milepost 465.43+ and milepost 468.43+ in West Duluth, in St. Louis County, MN. The line traverses United States Postal Service Zip Code 55802.

Soo 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 Surface Transportation Board (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

¹ Pursuant to the terms of an operating agreement, PHL's operating rights will be for a term of three years, subject to extension, modification, and earlier termination.

¹ The Amador Branch includes a yard and repair shops at Martell as well as additional spur trackage at the Sierra Pacific mill and particle board plant located at milepost 11.6.