

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

It is ordered:

1. The applications, petitions, and notices in Finance Docket No. 32760, and in all related proceedings, are accepted for consideration.
2. The parties shall comply with all provisions as stated above.
3. Applicants shall submit additional information as set forth above regarding Docket No. AB-12 (Sub-No. 185X) within 20 days of the effective date of this decision.
4. Applicants are directed to provide the Commission with a current complete set of operating timetables for both UP and SP within 20 days of the effective date of this decision.
5. Any appeal to a decision issued by the ALJ in this proceeding must be filed within 3 working days of the date of the decision, and any response to such an appeal must be filed within 3 working days of the date of filing of the appeal.
6. Replies to any procedural motion filed with the Commission must be filed within 3 working days.
7. This decision is effective on the date of service.

Decided: December 21, 1995.

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

Vernon A. Williams,
Secretary.

Procedural Schedule

- November 30, 1995: Primary application filed
- December 29, 1995: Commission notice of acceptance of primary application and related applications published in the Federal Register on or before this date
- January 16, 1996: Notice of intent to participate in proceeding due
- January 29, 1996: Description of anticipated inconsistent and responsive applications due; petitions for waiver or clarification due
- March 29, 1996: Inconsistent and responsive applications due. All comments, protests, requests for conditions, and any other opposition evidence and argument due. DOJ and USDOT comments due
- April 12, 1996: Notice of acceptance (if required) of inconsistent and responsive applications published in the Federal Register
- April 29, 1996: Response to inconsistent and responsive applications due. Response to comments, protests, requested conditions, and other opposition due. Rebuttal in support of

primary application and related applications due.

- May 14, 1996: Rebuttal in support of inconsistent and responsive applications due
- June 3, 1996: Briefs due, all parties (not to exceed 50 pages)
- July 2, 1996: Oral argument (at Commission's discretion)
- July 3, 1996: Voting Conference (at Commission's discretion)
- August 12, 1996: Date of service of final decision

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BILLING CODE 7035-01-P

[Finance Docket No. 32796]

West Texas and Lubbock Railroad Company, Inc.; Purchase and Operation Exemption; Seagraves, Whiteface and Lubbock Railroad Company

The West Texas and Lubbock Railroad Company (WTLR) has filed a notice of exemption to acquire from Seagraves, Whiteface and Lubbock Railroad Company (SWGR)¹ and operate the approximately 113-mile SWGR rail system, consisting of three connecting branch lines as follows: (1) Between milepost 0.0 at Lubbock, TX (Burlington Northern and Santa Fe connection), and milepost 63.8 at Seagraves, TX; (2) between milepost 0.0 at Doud, TX (connection with SWGR Lubbock to Seagraves line), and milepost 39.2 at Whiteface, TX; and (3) The Pan American Spur from milepost 36.3 (at Coble, TX) to "end of track" (approximately 9.3 miles). WTLR will also obtain ancillary overhead trackage rights currently held by SWGR over certain lines and yard tracks of The Atchison, Topeka and Santa Fe Railway Company ("ATSF") as follows: Milepost 88 + 0748.6 feet and Lubbock Subdivision milepost 675 + 518.5 feet, including tracks numbers 40, 292, 93, 92, 25, 4, 3, 90, 58, 57, 56, 36 and 2 in ATSF's Lubbock Yard. These incidental trackage rights will enable WTLR to interchange cars with connecting class I carriers. The lines described in this paragraph are located in Gaines, Terry, Cochran and Hockley Counties, TX.

The proposed transaction was expected to be consummated on October 25, 1995. WTLR certified that its projected revenues do not exceed those that would qualify it as a class III carrier.

¹ Anderson Grain Corporation (Anderson), of Levelland, Texas, filed an "objection" to this notice. The Commission will issue a separate decision on Anderson's pleading.

WTLR owns no railroad lines and conducts no rail operations subject to the Commission's jurisdiction. Rail America, Inc. (RAI) owns 100% of WTLR's stock. RAI owns or controls six other class III shortline railroads.

This transaction is related to a notice of exemption filed in *RailAmerica, Inc.—Continuance in Control Exemption—West Texas and Lubbock Railroad Company, Inc. and Plainview Terminal Company*, Finance Docket No. 32797, for RAI to continue in control of WTLR and Plainview Terminal Company (PTC) and five other class III railroads upon PTC and WTLR becoming class III rail carriers.

Any comments must be filed with the Commission² and served on: Robert A. Wimbish, Rea, Cross and Auchincloss, 1920 N Street, N.W., Suite 420, Washington, D.C. 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. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: December 19, 1995.

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

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NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements; Notice of Pending Submittal to the Office of Management and Budget (OMB) for Review

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

² Legislation to sunset the commission on December 31, 1995, and transfer remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address.