

political subdivision of the State of Texas, has filed a verified notice of exemption under 49 CFR Part 1150, Subpart D—*Exempt Transaction* to: (1) Acquire and operate 31.0-miles of rail line from St. Louis Southwestern Railway Company (SSW) from milepost 524.0 to milepost 555.0 in Hopkins, Delta, and Hunt Counties, TX; and (2) to obtain trackage rights from milepost 524.0 to milepost 517.0 a distance of 7 miles, in the vicinity of Sulphur Springs, TX. NETEX was expected to consummate the transaction on December 15, 1995.

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. 10505(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to Finance Docket No. 32841, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Paul D. Angenend, SAEGERT, ANGENEND & AUGUSTINE, P. O. Box 410, Austin, TX 78767-0410.

Decided: January 19, 1996.

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

[FR Doc. 96-1334 Filed 1-25-96; 8:45 am]

BILLING CODE 4915-00-P

[Finance Docket No. 32838]

**R.J. Corman Railroad Company/
Pennsylvania Lines, Inc.—Acquisition
and Operation Exemption—Lines of
Consolidated Rail Corporation**

R.J. Corman Railroad Company/
Pennsylvania Lines, Inc. (RJCP), a non-

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 Board jurisdiction pursuant to 49 U.S.C. 10901. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

¹ The ICC Termination Act of 1995, Pub. L. No. 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 and proceedings 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

carrier, has filed a verified notice under 49 CFR Part 1150, Subpart D—*Exempt Transactions* to acquire and operate approximately 230.4 miles of rail lines of Consolidated Rail Corporation (Conrail) known as the "Clearfield Cluster" in Centre, Clinton, Clearfield, Jefferson, Indiana and Cambria Counties, PA. RJCP also will acquire by assignment from Conrail incidental trackage rights over approximately 7.8 miles of rail lines between Clearfield and Curwensville, PA, owned by the Clearfield and Mahoning Railway Company. The transaction was to have been consummated on December 29, 1995.

This proceeding is related to *Richard J. Corman—Continuance in Control Exemption—R.J. Corman Railroad Company/Pennsylvania Lines, Inc.*, Finance Docket No. 32939, wherein Richard J. Corman has concurrently filed a verified notice to continue to control R.J. Corman Railroad Company/Pennsylvania Lines, Inc. upon its becoming a 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. 10505(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to Finance Docket No. 32838, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board, Washington, DC 20423. In addition, a copy of each pleading must be served on Kevin M. Sheys, Oppenheimer Wolff & Donnelly, 1020 Nineteenth Street NW., Suite 400, Washington, DC 20036.

Decided: January 23, 1996.

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

[FR Doc. 96-1332 Filed 1-25-96; 8:45 am]

BILLING CODE 4915-00-P

[Finance Docket No. 32839]¹

**Richard J. Corman—Continuance in
Control Exemption—R.J. Corman
Railroad Company/Pennsylvania Lines,
Inc.**

Richard J. Corman (Corman), a non-carrier, has filed a verified notice under

to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the Act), which was enacted

49 CFR 1180.2(d)(2) to continue in control of R.J. Corman Railroad Company/Pennsylvania Lines, Inc. (RJCP) on RJCP's becoming a carrier. RJCP, a new entity within the R.J. Corman family, was created to acquire from Consolidated Rail Corporation (Conrail) approximately 238.2 miles of rail lines and trackage rights known as the "Clearfield Cluster" in Centre, Clinton, Clearfield, Jefferson, Indiana and Cambria Counties, PA. The transaction was to have been consummated on December 29, 1995.

This proceeding is related to *R.J. Corman Railroad Company/Pennsylvania Lines, Inc.—Acquisition and Operation Exemption—Lines of Consolidated Rail Corporation*, Finance Docket No. 32838, wherein RJCP will acquire 230.4 miles of rail lines of Conrail, and to acquire by assignment from Conrail incidental trackage rights over approximately 7.8 miles of railroad owned by the Clearfield and Mahoning Railway Company.

The transaction is exempt from the prior approval requirements of 49 U.S.C. 11343 because: (1) the properties of RJCP will not connect with any other railroad in the R.J. Corman corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect RJCP with any other railroad in the R.J. Corman corporate family; and (3) the transaction does not involve a class I carrier.

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

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. 10505(d) may be filed at any time. The filing of a petition to reopen will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to Finance Docket No. 32839, must be filed with the Office of the Secretary, Case Control Branch, Surface Transportation Board,

on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings 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 Board jurisdiction pursuant to 49 U.S.C. 11323. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.