

a motor passenger carrier, operates nationwide, regular-route services.⁵ NWL seeks to transfer to GLI its route over Interstate Highway 90, between Moses Lake and Seattle, WA. In return, GLI seeks to transfer to NWL its local routes: (1) Between Moses Lake and Everett, WA, over Washington Highways 171, 17, 282, and 28 and U.S. Highway 2; and (2) between Wenatchee and Ellensburg, WA, over U.S. Highway 97. These routes apparently would connect with NWL's authority to operate between Everett and Seattle, over Interstate Highway 5.

As to the operating rights that GLI is receiving in the transaction, it appears that GLI already operates between Moses Lake and Seattle, under its own operating rights over Interstate Highway 90 between Butte, MT, and Seattle. As for NWL, it will acquire GLI's local routes and will no longer operate over its direct route between Seattle and Spokane, WA, over Interstate Highway 90.

According to the transfer agreement, NWL will use GLI's bus terminal in Wenatchee and will become a tenant in GLI's bus terminals in Ellensburg, Everett, and Seattle. In addition, GLI will terminate its agency agreement in Ephrata, WA, and NWL will consummate an agreement with the same agent. Neither petitioner will assume any obligations to the other's employees.

Petitioners submit that: (1) GLI's annual gross operating revenues exceed \$2 million; (2) they hold satisfactory safety fitness ratings; (3) they have adequate insurance coverage; (4) neither is domiciled in Mexico or controlled by persons of that country; and (5) the proposed transaction will have no effect on the quality of the human environment or the conservation of energy resources.

Additional information may be obtained from petitioners' representative.

A copy of this notice will be served on the Department of Justice, Antitrust Division, 10th St. & Pennsylvania Ave., N.W., Washington, DC 20530.

Decided: October 7, 1996.

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

Vernon A. Williams,
Secretary.

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⁵ GLI is affiliated with Continental Panhandle Lines, Inc., Texas, New Mexico & Oklahoma Coaches, Inc., and Vermont Transit Co., Inc., all motor passenger carriers.

[STB Finance Docket No. 33127]

Shawnee Terminal Railway Company, Inc.—Acquisition and Operation Exemption—Cairo Terminal Railroad Company

Shawnee Terminal Railway Company, Inc. (Shawnee), a noncarrier, newly-established to become shortline railroad, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate a 2.5-mile line of railroad from Cairo Terminal Railroad Company (Cairo) between milepost 256.9 and milepost 259.4 at Cairo, IL. In addition, Shawnee will acquire, by assignment, Cairo's incidental trackage rights allowing overhead operation over approximately 4.5 miles of line of the Illinois Central Railroad Company between milepost 500 and Cairo, IL. The trackage rights will facilitate interchange and access to yard and industry tracks.

The transaction was expected to be consummated as soon as possible after the October 2, 1996 effective date of the exemption.

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. 33127, 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 Keith G. O'Brien, Esq., Rea, Cross & Auchincloss, Suite 420, 1920 N Street, N.W., Washington, DC 20036.

Decided: October 4, 1996.

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

Vernon A. Williams,
Secretary.

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[STB Docket No. AB-470X]

Southeast Kansas Railroad Company—Abandonment Exemption—in Vernon and Barton Counties, MO

Southeast Kansas Railroad Company (SEK) has filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to abandon a 24.1-mile portion of its line of railroad between milepost 319.3, at Nassau Junction Station, and milepost 343.4, at

or near Liberal, in Barton and Vernon Counties, MO.

SEK has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic has been rerouted over other lines; (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 employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on November 10, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by October 21, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 31, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Karl Morell, Ball Janik

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

³ The Board will accept late-filed trail use requests as long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.