

Ridge, a distance of 14.23 miles in Fannin County; (ii) from Valuation Station 21726+83 (milepost 396.7), at Blue Ridge, to Valuation Station 22154+46 (milepost 404.8), at White Path, a distance of 8.1 miles in Fannin and Gilmer Counties; and (iii) from Valuation Station 21556+55 (milepost 393.47) on the north leg of the wye including the south leg of the wye, at Murphy Junction, to Valuation Station 21706+72 (milepost 396.32), in Mineral Bluff, a distance of 2.85 miles in Fannin County.

The transaction is expected to be consummated on or after the effective date of the exemption. Because the notice of exemption was filed on October 3, 1997, the transaction can be consummated no sooner than October 10, 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. 33489, 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 Kevin R. Armbruster, Esq., Cushing, Morris, Armbruster & Jones, LLP, Suite 2110, International Tower, 229 Peachtree Street, N.E., Atlanta, GA 30303.

Decided: October 8, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-27603 Filed 10-16-97; 8:45 am]
BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33487]

Iowa Northern Railway Company— Acquisition and Operation Exemption—Union Pacific Railroad Company

Iowa Northern Railway Company (IANR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and operate an 8,692-foot portion of rail line, known as the Bristow Subdivision, owned by Union Pacific Railroad Company (UP), between the crossing of the UP and IANR lines at MP 288.8 and the end of

the Bristow Subdivision at approximately MP 287.4 (end of track) to the east of that crossing in Clarksville, IA.¹ The transaction was expected to be consummated as soon as practicable after October 9, 1997, the effective date of the exemption.

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. 33487, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001 and served on: David A. Hirsh, Harkins Cunningham, 1300 19th Street, N.W., Suite 600, Washington, DC 20036.

Decided: October 9, 1997.

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

Vernon A. Williams,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-534 (Sub-No. 1X)]

Lake State Railway Company— Abandonment Exemption—in Alpena County, MI

Lake State Railway Company (Lake State) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon its 8-mile line of railroad between milepost 0.0 near Alpena, and milepost 8.0 near Hillman, in Alpena County, MI. The line traverses United States Postal Service Zip Code 49707.

Lake State has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there has been no overhead traffic moving over the line during this time; (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

¹ IANR states that, although the official UP milepost designations suggest a track length of 1.4 miles, IANR personnel have measured the track length as 8,692 feet, or approximately 1.6 miles.

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 16, 1997, 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 1152.29 must be filed by October 27, 1997. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 6, 1997, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Kelvin J. Dowd, Esq., Slover & Loftus, 1224 Seventeenth Street, N.W., Washington, DC 20036.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

Lake State has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by October 22, 1997. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1545. Comments on environmental and historic preservation matters must be filed within 15 days

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 Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$900. See 49 CFR 1002.2(f)(25).