

anticompetitive effects. This proceeding is a fact-finding mechanism and will not necessarily result in a formal ruling.

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

*It is ordered:*

1. Applicants, shippers, and other interested parties may file written comments with the Commission regarding the competitive impacts of WCTC's continuance in control of FV&W. Participants are asked to address: (1) whether substantial competitive harm has resulted from the transaction; and (2) if so, whether appropriate and workable conditions can be formulated.

2. Comments will be accepted no later than September 7, 1995. An original and 10 copies of the comments, referencing Finance Docket No. 32036 (Sub-No. 2), must be mailed to: Office of the Secretary, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, D.C. 20423. Comments need not be served on other persons.<sup>2</sup>

3. This decision is being simultaneously published in the **Federal Register**.

4. This decision is being served on all persons appearing on the service list in Finance Docket No. 32036.

5. This decision is effective on August 8, 1995.

Decided: July 28, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioners Simmons and McDonald.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 95-19513 Filed 8-7-95; 8:45 am]

BILLING CODE 7035-01-P

**[Docket No. AB-414 (Sub-No. 1X)]**

**Iowa Interstate Railroad, Ltd.—  
Abandonment Exemption—in Cass  
and Audubon Counties, IA**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10505, the Commission exempts from the prior approval requirements of 49 U.S.C. 10903-04 the abandonment by the Iowa Interstate Railroad, Ltd., of the line of railroad between milepost 445 near Atlantic, IA, and milepost 465.20 near Audubon, IA, subject to standard

<sup>2</sup>For further information contact Thomas McNamara of the Commission's Office of Economic and Environmental Analysis at (202) 927-6201. TDD for the hearing impaired is (202) 927-5721.

employee protective, interim trail use, public use and environmental conditions.

**DATES:** Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on September 7, 1995. Formal expressions of intent to file an offer<sup>1</sup> of financial assistance under 49 CFR 1152.27(c)(2) must be filed by August 18, 1995, petitions for stay must be filed by August 23, 1995, and petitions to reopen must be filed by September 5, 1995.

**ADDRESSES:** Send pleadings referring to Docket No. AB-414 (Sub-No. 1X) to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, NW., Washington, DC 20423; and (2) Petitioner's representative: T. Scott Bannister, 1300 Des Moines Building, 6th and Locust, Des Moines, IA 50309.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5610. (TDD for the hearing impaired: (202) 927-5721.)

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., Interstate Commerce Commission Building, 1201 Constitution Avenue NW., Room 2229, Washington, DC 20423. Telephone (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: July 28, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioners Simmons and McDonald.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 95-19515 Filed 8-7-95; 8:45 am]

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**[Docket No. AB-57 (Sub-No. 39X)]**

**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 a .5-mile portion of its line of railroad, known as the Rice's Point Trackage, from milepost 288.17+/- to milepost 288.70+/-, at Duluth, in St. Louis County, MN.

Soo has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) all overhead traffic previously routed over this line has

<sup>1</sup>See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

been rerouted to alternative 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 Commission or with any U.S. District Court or has been decided in favor of the 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 use of this exemption, any employee 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. 10505(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 September 7, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29<sup>3</sup> must be filed by August 18, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by August 28, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Larry D. Starns, Office of the U.S. Regional Counsel, 1000 Soo Line Building, 105 South 5th Street, Minneapolis, MN 55402.

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

<sup>1</sup>A stay will be issued routinely by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request prior to the effective date of this exemption.

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

<sup>3</sup>The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.