

**INTERNATIONAL TRADE
COMMISSION**

[Investigation No. 337-TA-358]

**Certain Recombinantly Produced
Human Growth Hormones; Notice of
Commission Determination Not To
Review an Initial Determination
Granting Complainant's Motion To
Amend the Complaint and Notice of
Investigation To Withdraw a Patent
Claim****AGENCY:** U.S. International Trade
Commission.**ACTION:** Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (ALJ's) initial determination (ID) in the above-captioned investigation granting complainant Genentech, Inc.'s motion to amend the complaint and notice of investigation by withdrawing claim 38 of U.S. Letters Patent 5,221,619 from the investigation.

FOR FURTHER INFORMATION CONTACT:

Mark D. Kelly, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3106.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 29, 1993, based on a complaint filed by Genentech, Inc. of South San Francisco, California. 58 FR 50954. The following five firms were named as respondents: Novo Nordisk A/S of Denmark; Novo Nordisk of North America, Inc. of New York; ZymoGenetics, Inc. of Seattle, Washington (collectively, "the Novo respondents"); Bio-Technology General Corp. of New York; and Bio-Technology General Corp. (Israel) Ltd. (collectively, "the BTG respondents").

At the pre-hearing conference on April 8, 1994, complainant Genentech orally moved to amend the complaint by withdrawing claim 38 of the '619 patent from the investigation. The parties addressed complainant Genentech's motion in their post-hearing submissions. The Commission investigative attorneys (IAs) supported complainant's motion. The Novo respondents and the BTG respondents opposed complainant's motion. No petitions to review the ID were filed and no government agency comments were received.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission interim rule 210.53 (19 C.F.R. 210.53).

Copies of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: December 28, 1994.

By order of the Commission.

Donna R. Koehnke,*Secretary.*

[FR Doc. 95-202 Filed 1-4-95; 8:45 am]

BILLING CODE 7020-02-P

**INTERSTATE COMMERCE
COMMISSION****Availability of Environmental
Assessments**

Pursuant to 42 U.S.C. 4332, the Commission has prepared and made available environmental assessments for the proceedings listed below. Dates environmental assessments are available are listed below for each individual proceeding.

To obtain copies of these environmental assessments contact Ms. Tawanna Glover-Sanders or Ms. Judith Groves, Interstate Commerce Commission, Section of Environmental Analysis, Room 3219, Washington, DC 20423, (202) 927-6203 or (202) 927-6246.

Comments on the following assessment are due 15 days after the date of availability:

AB-290 (Sub-No. 164X), Louisiana Southern Railway Company—Abandonment—at Chalmette, Louisiana—Notice of Exemption. EA available 12/16/94.

AB-290 (Sub-No. 165X), Norfolk & Western Railway Company—Abandonment—In Cincinnati, Ohio. EA available 12/19/94.

AB-103 (Sub-No. 10X), Kansas City Southern Railway Company—Abandonment—Independence Air Line Branch. EA available 12/26/94.

Comments on the following assessment are due 30 days after the date of availability: None.

Vernon A. Williams,*Acting Secretary.*

[FR Doc. 95-225 Filed 1-4-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32629]

**Pioneer Railcorp; Continuance in
Control Exemption; Minnesota Central
Railroad Company**

Pioneer Railcorp (Pioneer), a noncarrier holding company, has filed a notice of exemption to continue in stock ownership control of Minnesota Central Railroad Company (MNCR), its wholly owned noncarrier subsidiary, when MNCR becomes a class III rail carrier. MNCR concurrently filed a notice of exemption in *Minnesota Central Railroad Company—Acquisition and Operation Exemption—MNVA Railroad, Inc.*, Finance Docket No. 32628, to acquire from MNVA Railroad, Inc. (MNVA), a class III rail carrier, and operate a 146-mile rail line in Minnesota. Consummation was scheduled for December 13, 1994.

Pioneer owns and controls seven other class III rail carriers: West Jersey Railroad Co., operating in New Jersey; Fort Smith Railroad Co., operating in Arkansas; Alabama Railroad Co., operating in Alabama; Mississippi Central Railroad Co. (formerly Natchez Trace Railroad), operating in Mississippi and Tennessee; Alabama & Florida Railway Co., operating in Alabama; Decatur Junction Railway Co., operating in Illinois; and Vandalia Railroad Company, operating in Illinois.¹

Pioneer states that: (1) The properties operated by these carriers do not connect with each other or any railroads in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (3) the transaction does not involve a class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11343. See 49 CFR 1180.2(d)(2).

As a condition to use of this exemption, any employees affected by the transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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. Pleadings must be filed with the Commission and served on: Donald G. Avery and Patricia E. Dietrich, Slover & Loftus, 1224 Seventeenth Street, N.W., Washington, DC 20036.

¹ See *Pioneer Railcorp—Continuance in Control Exemption—Vandalia Railroad Company*, Finance Docket No. 32594 (ICC served Oct. 28, 1994).