

Decided: December 23, 1994.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-229 Filed 1-4-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32628]

**Minnesota Central Railroad Company;
Acquisition and Operation Exemption;
Rail Lines of MNVA Railroad, Inc.**

Minnesota Central Railroad Company (MNCR), a noncarrier,¹ has filed a notice of exemption to acquire and operate approximately 146 miles of MNVA Railroad, Inc.'s (MNVA) Hanley Falls-Minneapolis rail line between milepost 145.08, at Hanley Falls, MN, and milepost 0.0, at Minneapolis, MN.² As part of this transaction MNCR will purchase MNVA's right, title and interest in certain incidental trackage rights agreements. MNCR and MNVA executed an agreement on November 4, 1994 for the purchase and operation of MNVA's Hanley Falls-Minneapolis rail line, along with its incidental trackage rights agreements, rail operating assets, and other contract rights. The parties intend to consummate the transaction on or after December 14, 1994, the effective date of the exemption.

This proceeding is directly related to a concurrently filed notice of exemption in Finance Docket No. 32629, *Pioneer Railcorp—Continuance in Control Exemption—Minnesota Central Railroad Company*, wherein Pioneer Railcorp seeks to continue in control of MNCR when MNCR becomes a class III rail carrier upon consummation of the transaction described in this notice.³

Any comments must be filed with the Commission and served on: Donald G. Avery, 1224 Seventeenth Street, N.W., Washington, D.C. 20036.

¹ MNCR is a wholly owned subsidiary of Pioneer Railcorp, a noncarrier holding company.

² Originally established in 1983, MNVA operates over a former Chicago & North Western (C&NW) rail line between milepost 145.08 at Hanley Falls, Yellow Medicine County, MN, and milepost 51.3, at Norwood, Carver County, MN, under a contract for sale agreement with the Minnesota Valley Regional Rail Authority. MNVA also has trackage rights over the C&NW from milepost 51.3, at Norwood to milepost 0.0, at Minneapolis, Hennepin County, MN.

³ Pioneer Railcorp already controls seven class III shortline 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. (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).

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. 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.

Decided: December 15, 1994.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-228 Filed 1-4-94; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32650]

**Eastern Maine Railway Company;
Acquisition Exemption; Rail Line of
Canadian Pacific Limited Between
Brownville Junction and Vanceboro,
ME**

Eastern Maine Railway Company (Eastern Maine), a noncarrier,¹ has filed a notice of exemption to acquire the eastern portion of Canadian Pacific Limited's (CP) rail line between Skinner and Vanceboro, ME.² The portion of the line involved in the transaction is 99.5 miles and extends from milepost 105.1 at Brownville Junction, ME, to milepost 5.6 at the Maine-New Brunswick border near Vanceboro, ME.³

Eastern Maine, Irving, and NBR, have concurrently filed a related petition in *Eastern Maine Railway Company, J.D. Irving, Limited and New Brunswick Railway Company—Petition for Disclaimer of Jurisdiction or, Alternatively, for an Exemption From 49 U.S.C. 11343(a)(5)*, Finance Docket No. 32651. In that proceeding, Eastern Maine, NBR, and Irving seek to enable Irving to continue in control of Eastern Maine should Eastern Maine become a

¹ Eastern Maine, is a wholly owned subsidiary of New Brunswick Railway Company (NBR). Both Eastern Maine and NBR are represented to be noncarriers. NBR is controlled by J.D. Irving Limited (Irving).

² This CP line is the subject of a pending abandonment application in *Canadian Pacific Limited—Abandonment—Line Between Skinner and Vanceboro, ME*, Docket No. AB-213 (Sub-No. 4).

³ Acquisition of the western portion of CP's line between Brownville Junction and the Maine-Quebec border near Skinner and operation of the entire CP line between Skinner and Vanceboro is the subject of a notice of exemption filed concurrently by Canadian American Railroad Company (CDAC) in *Canadian American Railroad Company—Acquisition and Operation Exemption—Certain Lines of Canadian Pacific Limited in Maine*, Finance Docket No. 32646. Related to that notice is a petition for exemption filed concurrently in *Fieldcrest Cannon, Inc. and Downeast Securities Corporation—Continuance in Control—Canadian American Railroad Company*, Finance Docket No. 32647.

class III rail carrier upon consummation of the acquisition. Consummation of the acquisition by Eastern Maine in the instant proceeding is contingent upon the Commission granting the petition in the related Finance Docket No. 32651.

Any comments must be filed with the Commission and served on: William C. Evans, 901 15th Street, N.W., Suite 700, Washington, DC 20005-2301; and W. David Jamieson, P.O. Box 5777-300 Union Street, 12th Floor, Saint John, New Brunswick, Canada E2L 4M3.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. 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.

Because this line is the subject of a pending abandonment application (see n.2 *supra*), and labor protective conditions would have been imposed if abandonment had been authorized in that proceeding, the Commission will seriously consider in this case the imposition of the conditions imposed in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). Petitions to revoke for purposes of imposing labor protective conditions should address the exceptional circumstances which would permit the Commission to impose such conditions on this 49 U.S.C. 10901 transaction.

Decided: December 29, 1994.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-227 Filed 1-4-95; 8:45 am]

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[Finance Docket No. 32646]

**Canadian American Railroad
Company; Acquisition and Operation
Exemption; Certain Lines of Canadian
Pacific Limited in Maine**

Canadian American Railroad Company (CDAC), a noncarrier, has filed a notice of exemption to acquire and/or operate Canadian Pacific Limited's (CP) line between Skinner and Vanceboro, ME.¹ CDAC will acquire and operate 101.7 miles of the western portion of CP's line of railroad between milepost 0.0 at Brownville Junction, ME, and milepost 101.7 at the Maine-Quebec border near Skinner, ME, and

¹ This CP line is the subject of a pending abandonment application in *Canadian Pacific Limited—Abandonment—Line Between Skinner and Vanceboro, ME*, Docket No. AB-213 (Sub-No. 4).