

will lease approximately 15.1 miles of rail line previously leased by RJCM from CSX Transportation, Inc.¹ between milepost 74.6 at Dover, OH (including certain switching tracks at Dover)² and milepost 59.5 at Uhrichsville, OH. The proposed acquisition and operation transactions were expected to be consummated on or after December 29, 1994.

This proceeding is related to *Richard J. Corman—Continuance in Control Exemption—R.J. Corman Railroad Company/Cleveland Line*, Finance Docket No. 32644, wherein Richard J. Corman has concurrently filed a notice of exemption to continue in control of RJCC when RJCC becomes a rail carrier upon consummation of the transaction described in this notice.

Any comments must be filed with the Commission and served on: Kevin M. Sheys, 1020 Nineteenth Street, NW, Suite 400, Washington, DC 20036.

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: January 11, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-1507 Filed 1-19-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32635]

Morris H. Kulmer, Kern W. Schumacher, Troy W. Schumacher and Michael J. Van Wagenen—Continuance in Control Exemption—V&S Railway, Inc.

Morris H. Kulmer, Kern W. Schumacher, Troy W. Schumacher and Michael J. Van Wagenen, noncarrier individuals (applicants), have filed a notice of exemption to continue in control of V&S Railway, Inc. (V&S) upon V&S's becoming a carrier. V&S has concurrently filed a related notice of exemption, *V&S Railway, Inc.—Acquisition and Operation Exemption—Rail Line of St. Louis Southwestern Railway Company*, in Finance Docket

¹ See *R.J. Corman Railroad Company/Memphis Line—Purchase and Lease—CSX Transportation, Inc. Line Between Warwick and Uhrichsville, OH*, Finance Docket No. 31388 (Sub-No. 1), (ICC served June 23, 1989).

² TC&O D-2 Track (V.S. 22+81 to V.S. 17+19), Strasburg D-2 Track (V.S. 0+00 to V.S. 86+48), C&P D-2 Track (V.S. 1555+00 to V.S. 1502+50) and Canal Dover D-2 Track (V.S. 0+00 to V.S. 1548+90).

No. 32634, in which V&S is seeking to acquire and operate approximately 65.0 miles of rail line in Franklin, Hopkins, Delta, Titus and Hunt Counties, TX.

The control transaction was to have been consummated on or about December 30, 1994.

Applicants also control two other nonconnecting class III rail carriers: Tulare Valley Railroad Company, operating in California, and SF&L Railway, Inc., operating in Texas.

Applicants state that: (1) the properties operated by these three carriers do not connect with each other; (2) the 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. The transaction therefore 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: Mark H. Sidman, Suite 800, 1350 New York Ave., NW., Washington, DC 20005-4797.

Decided: January 11, 1995.

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

Vernon A. Williams
Secretary

[FR Doc. 95-1510 Filed 1-19-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32595]

The Maryland and Delaware Railroad Company Modified Rail Certificate

On October 3, 1994, as supplemented November 4, 1994 and December 1, 1994, The Maryland and Delaware Railroad Company (MDDE) filed a notice for a modified certificate of public convenience and necessity under 49 CFR part 1150, subpart C, to operate two lines of railroad owned by the State of Delaware in Sussex County, DE: (1) The Lewes Running Track, a distance of 16.23 miles between milepost 24.16 at Georgetown Yard and milepost 40.39 at Henlopen; and (2) The Milton Industrial Track, a distance of 6.60 miles between milepost 0.00 at Ellendale and milepost 6.60 at Milton.

The line segments comprising the Lewes Running Track (#159 Lewes-Lewes Beach, #160 Broadkill-Lewes, and #161 Georgetown-Lewes) were formerly owned and operated by the Penn Central Corp. MDDE states that the line was not included in the United States Railway Association Final System Plan when the Consolidated Rail Corporation (Conrail) was established, and was abandoned in accordance with Section 304 of the Regional Rail Reorganization Act of 1973, 45 U.S.C. 744. The Milton Industrial Track was formerly owned and operated by Conrail. In *Conrail Abandonment Between Ellendale and Milton, DE*, Docket No. AB-167 (Sub-No. 188N) (ICC served Mar. 26, 1982), the Commission authorized Conrail to abandon this track. The Delaware Department of Transportation acquired both lines, and, effective October 1, 1982, contracted with The Delaware Coast Line Railroad (DCLR) to operate them. The contract with DCLR expired on September 30, 1994, and MDDE commenced operations under a new contract effective October 1, 1994.

The Commission will serve a copy of this notice on the Association of American Railroads (Car Service Division), as agent of all railroads subscribing to the car-service and car-hire agreement, 50 F Street, NW, Washington, DC 20001, and on the American Short Line Railroad Association, 1120 G Street, NW, Suite 520, Washington, DC 20005.

Decided: January 11, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-1506 Filed 1-19-95; 8:45 am]

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[Finance Docket No. 32437 (Sub-No. 1)]

Rail Partners, L.P., Panama City Beach Office Park, Ltd., K. Earl Durden, Green Bay Packaging, Inc., and Rail Management and Consulting Corporation—Control Exemption—A&G Railroad, L.L.C.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Pursuant to 49 U.S.C. 10505, the Commission exempts from the prior approval requirements of 49 U.S.C. 11343-11345 the assumption of direct control of A&G Railroad, L.L.C., by petitioners Rail Partners, L.P. (Partners), Panama City Beach Office Park, Ltd. (Office Park), K. Earl Durden (Durden),