

check, post office money order, bank draft or cashier's check made payable to the United State of America for the full amount of the bid and non-refundable fee and sent to Superintendent, Cuyahoga Valley NRA, 15610 Vaughn Road, Brecksville, Ohio 44141. The property will be available for inspection from 2:00 to 4:00 p.m. on April 29, 1995. Bids will be received until 2:00 p.m. on May 3, 1995.

FOR FURTHER INFORMATION CONTACT: Superintendent John P. Debo, Cuyahoga Valley National Recreation Area, 15610 Vaughn Road, Brecksville, OH 44141 (216-526-5256).

SUPPLEMENTARY INFORMATION: This notice is being published in accordance with 36 CFR 17.4, July 1, 1992.

Dated: February 27, 1995

Roy F. Beasley, Jr.,

Acting Superintendent, Cuyahoga Valley NRA.

[FR Doc. 95-5197 Filed 3-2-95; 8:45 am]

BILLING CODE 4310-70-P

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 399]

Cost Recovery Percentage

AGENCY: Interstate Commerce Commission.

ACTION: Publication of the Cost Recovery Percentage for 1995.

SUMMARY: The provisions of 49 U.S.C. 10709(d)(5)(A) require the Commission to calculate an annual cost recovery percentage (CRP), a revenue-to-variable cost (r/vc) ratio reflecting a hypothetical rate ceiling that would permit railroads, in the aggregate, to recover their costs of doing business. If the CRP falls between 170% and 180%, it becomes the jurisdictional threshold for determining whether railroad traffic is market dominant and hence subject to maximum rate regulation. If it exceeds 180%, then the market dominance threshold is set at 180%. Because the calculated CRP for 1995 exceeds 180%, the jurisdictional threshold applicable to calendar year 1995 is 180%.

EFFECTIVE DATE: This decision is effective April 2, 1995.

FOR FURTHER INFORMATION CONTACT: Robert C. Hasek, (202) 927-6239; or H. Jeff Warren, (202) 927-6243. [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., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, DC 20423, or telephone (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Pursuant to 5 U.S.C. 605(b), we conclude that our action in this proceeding will not have a significant economic impact on a substantial number of small entities. No new regulatory requirements are imposed, directly or indirectly, on such entities. The purpose of our regulation is to calculate the threshold revenue-variable cost ratio for market dominance determinations as required by law. No new reporting requirements will be placed on the railroad industry. The economic impact on small entities, if any, will not likely be significant within the meaning of the Regulatory Flexibility Act.

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

Authority: 49 U.S.C. 10321, 10709; 5 U.S.C. 553.

Decided: February 10, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-5261 Filed 3-2-95; 8:45 am]

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Docket No. AB-3 (Sub-No. 121X)]

Missouri Pacific Railroad Company—Abandonment Exemption—in Morris and Dickinson Counties, KS

Missouri Pacific Railroad Company (MP) has filed a verified notice under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to abandon a 26.57-mile rail line between milepost 425.0, near Council Grove, and milepost 451.57, near Herington, in Morris and Dickinson Counties, KS.

MP has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other 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 complainant's favor within the last 2 years; and (4) the requirements at 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 and 1152.50(d)(1) (notice to

government agencies), and 49 CFR 1105.12 (newspaper publication) 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 employees are adequately protected, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

This exemption will be effective April 2, 1995, unless stayed or a statement of intent to file an offer of financial assistance (OFA) is filed. Petitions to stay that do not involve environmental issues,¹ statements of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by March 13, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 23, 1995. An original and 10 copies of any such filing must be sent to the Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423. In addition, one copy must be served on Joseph D. Anthofer, 1416 Dodge Street, Rm. 830, Omaha, NE 68179.

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

MP has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Commission's Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by March 8, 1995. A copy of the EA may be obtained by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

¹ The Commission will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Commission 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 Commission may take appropriate action before the exemption's effective date.

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

³ The Commission will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.