

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32562 (Sub-No. 2)]

Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption— Wisconsin and Calumet Railroad Company, Inc., Wisconsin & Southern Railroad Company and Wisconsin River Transit Commission d/b/a Wisconsin River Rail Transit Commission

Wisconsin¹ and Calumet Railroad Company, Inc. (WICT), Wisconsin & Southern Railroad Company (WSOR), and Wisconsin River Transit Commission d/b/a Wisconsin River Rail Transit Commission (WRRTC), have agreed to grant non-exclusive overhead trackage rights and certain industry access to Soo Line Railroad Company d/b/a CP Rail System (CPRS), over and upon WRRTC's line of railroad (owned in conjunction with the Wisconsin Department of Transportation and leased and operated by WICT and WSOR). The trackage is located between the division of ownership with the Chicago Transit Authority (operated as METRA) at Fox Lake, IL, milepost 49.8 +/- and the CPRS connection at milepost 94.49 +/- at Janesville, WI. The trackage rights will offer CPRS an alternative and additional route to handle traffic between Janesville and Chicago, IL. The trackage rights were to become effective on or after August 29, 1994.

This notice is filed under 49 CFR 1180.2(d)(7). 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.² The filing of a petition to revoke will not automatically stay the transaction. Pleadings must be filed with the

¹ Notices of Exemption were concurrently filed in *Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption—Wisconsin and Calumet Railroad Company, Inc., Wisconsin & Southern Railroad Company and Wisconsin River Transit Commission d/b/a Wisconsin River Rail Transit Commission*, Finance Docket No. 32562, and *Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption—Wisconsin and Calumet Railroad Company, Inc., and Wisconsin & Southern Railroad Company*, Finance Docket No. 32562 (Sub-No. 1).

Under the Commission's rules of practice at 49 CFR 1180.4(g)(2)(ii), this notice and the notices in Finance Docket No. 32562 and Finance Docket No. 32562 (Sub-No. 1), should have been published within 20 days of filings. It was recently discovered that, through oversight, the notices had not been published.

² The United Transportation Union filed a petition to revoke on September 1, 1994. That petition is currently pending.

Commission and served on: Wayne C. Serkland, 1000 Soo Line Bldg., 105 South 5th St., Minneapolis, MN 55402.

As a condition to the use of this exemption, any employees adversely affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: March 6, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-5946 Filed 3-9-95; 8:45 am]

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[Finance Docket No. 32562 (Sub-No. 1)]

Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption—Wisconsin and Calumet Railroad Company, Inc., and Wisconsin & Southern Railroad Company

Wisconsin¹ and Calumet Railroad Company, Inc. (WICT) and Wisconsin & Southern Railroad Company (WSOR), have agreed to grant non-exclusive overhead trackage rights to Soo Line Railroad Company d/b/a CP Rail System (CPRS), over a line of railroad (primary line), between milepost 138.58 +/- in Madison, WI to milepost 141.66 +/- near Middleton, WI, and a line segment extending from its junction with the primary line at milepost 140.0 +/- to milepost 167.06 +/- in Madison. The trackage rights will allow CPRS to continue to handle overhead traffic between Middleton and Madison, after the sale of CPRS's line of railroad between Middleton and Madison to WSOR.² The trackage rights were to

¹ Notices of Exemption were concurrently filed in *Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption—Wisconsin and Calumet Railroad Company, Inc., Wisconsin & Southern Railroad Company and Wisconsin River Transit Commission d/b/a Wisconsin River Rail Transit Commission*, Finance Docket No. 32562, and *Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption—Wisconsin and Calumet Railroad Company, Inc., Wisconsin & Southern Railroad Company and Wisconsin River Transit Commission d/b/a Wisconsin River Rail Transit Commission*, Finance Docket No. 32562 (Sub-No. 2).

Under the Commission's rules of practice at 49 CFR 1180.4(g)(2)(ii), this notice and the notices in Finance Docket No. 32562 and Finance Docket No. 32562 (Sub-No. 2), should have been published in the **Federal Register** within 20 days of filings. It was recently discovered that, through oversight, the notices had not been published.

² WSOR filed a petition for exemption to purchase CPRS's line of railroad between Middleton and

become effective on or after August 29, 1994.

This notice is filed under 49 CFR 1180.2(d)(7). 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.³ The filing of a petition to revoke will not automatically stay the transaction. Pleadings must be filed with the Commission and served on: Wayne C. Serkland, 1000 Soo Line Bldg., 105 South 5th St., Minneapolis, MN 55402.

As a condition to the use of this exemption, any employees adversely affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: March 6, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-5947 Filed 3-9-95; 8:45 am]

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[Finance Docket No. 32562]

Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption¹—Wisconsin and Calumet Railroad Company, Inc., Wisconsin & Southern Railroad Company and Wisconsin River Transit Commission d/b/a Wisconsin River Rail Transit Commission

Wisconsin and Calumet Railroad Company, Inc. (WICT), Wisconsin & Southern Railroad Company (WSOR) and Wisconsin River Transit

Madison, WI, in *Wisconsin & Southern Railroad Co.—Purchase, Lease and Operation Exemption—Canadian Pacific Rail Services*, Finance Docket No. 32546 (ICC served Aug. 5, 1994).

³ The United Transportation Union filed a petition to revoke on September 1, 1994. That petition is currently pending.

¹ Notices of Exemption were concurrently filed in *Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption—Wisconsin and Calumet Railroad Company, Inc., and Wisconsin & Southern Railroad Company*, Finance Docket No. 32562 (Sub-No. 1), and *Soo Line Railroad Company d/b/a CP Rail System—Acquisition of Trackage Rights Exemption—Wisconsin and Calumet Railroad Company, Inc., Wisconsin & Southern Railroad Company and Wisconsin River Transit Commission d/b/a Wisconsin River Rail Transit Commission*, Finance Docket No. 32562 (Sub-No. 2).

Under the Commission's rules of practice at 49 CFR 1180.4(g)(2)(ii), this notice and the notices in Finance Docket No. 32562 (Sub-No. 1) and Finance Docket No. 32562 (Sub-No. 2), should have been published in the **Federal Register** within 20 days of filings. It was recently discovered that, through oversight, the notices had not been published.