

industries and consumers in the United States. Section 215(b) of the CBERA requires the Commission to assess the actual effect of the act on the United States economy generally as well as on appropriate domestic industries and to assess the probable future effects of the act. Section 215(c)(2) of the CBERA requires that the Commission provide an opportunity for the public, either orally or in writing, or both, to submit to the Commission information relating to matters that will be addressed in the reports. The Commission instituted the present investigation under section 332(b) of the Tariff Act of 1930 (19 U.S.C. 1332(b)) on March 21, 1986, for the purpose of gathering and presenting such information on the CBERA. Section 332(b) of the Tariff Act of 1930 provides the Commission with general authority to conduct factfinding investigations with respect to trade and tariff matters. Notice of institution of the investigation and the schedule for such reports was published in the **Federal Register** of May 14, 1986 (51 FR 17678). The tenth report, covering calendar year 1994, is to be submitted by September 30, 1995.

Written Submissions: The Commission does not plan to hold a public hearing in connection with the tenth annual report. However, interested persons are invited to submit written statements concerning the matters to be addressed in the report. Commercial or financial information that a party desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available for inspection by interested persons in the Office of the Secretary to the Commission. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted at the earliest practical date and should be received no later than July 14, 1995.

Address all submissions to the Secretary to the Commission, U.S. International Trade Commission, 500 E St., SW., Washington, D.C. 20436. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

Issued: May 22, 1995.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 95-12878 Filed 5-24-95; 8:45 am]

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INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32549 (Sub-No. 15)]

Grainbelt Corporation—Trackage Rights Over Burlington Northern Railroad Company Between Snyder, OK, and Quanah, TX

AGENCY: Interstate Commerce Commission.

ACTION: Decision No. 24; notice of acceptance of responsive application filed by Grainbelt Corporation.

SUMMARY: The Commission is accepting for consideration the application filed by Grainbelt Corporation (GNBC) for the modification of certain trackage rights over lines of Burlington Northern Railroad Company (BN) between Snyder, OK, and Quanah, TX. This application is responsive to the primary application filed by BN and its corporate parent, Burlington Northern Inc. (BNI), and The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) and its corporate parent, Santa Fe Pacific Corporation (SFP), by which primary applicants BNI, BN, SFP, and Santa Fe seek approval for BNI's acquisition of, control of, and merger with SFP, the resulting common control of BN and Santa Fe by the merged company, the consolidation of BN and Santa Fe railroad operations, and the merger of BN and Santa Fe.

DATES: The effective date of this decision is May 25, 1995. Comments regarding the GNBC responsive application must be filed with the Commission by June 9, 1995. Rebuttal in support of the GNBC responsive application must be filed by June 19, 1995. Briefs (not to exceed 50 pages) must be filed by June 29, 1995.

ADDRESSES: An original and 20 copies of all documents must refer to Finance Docket No. 32549 (Sub-No. 15) and be sent to the Office of the Secretary, Case Control Branch, Attn: Finance Docket No. 32549 (Sub-No. 15), Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, D.C. 20423. Parties are encouraged also to submit all pleadings and attachments on a 3.5-inch diskette in WordPerfect 5.1 format.

In addition, one copy of all documents in this proceeding must be served, by first class mail, on: the

Secretary of the Department of Transportation; the Attorney General of the United States; Administrative Law Judge Jacob Leventhal, Federal Energy Regulatory Commission, Office of Hearings, 825 North Capitol Street, N.E., Washington, D.C. 20426; Betty Jo Christian, Esq., Steptoe & Johnson, 1330 Connecticut Avenue, N.W., Washington, D.C. 20036-1795 (representing primary applicants BNI and BN); Erika Z. Jones, Esq., Mayer, Brown & Platt, 2000 Pennsylvania Avenue, N.W., Suite 6500, Washington, D.C. 20006 (representing primary applicants SFP and Santa Fe); and William P. Quinn, Esq., Gollatz, Griffin & Ewing, P.C., 213 W. Miner St., P.O. Box 796, West Chester, PA 19381-0796 (representing responsive applicant GNBC).

Furthermore, one copy of all documents in this proceeding must be served, by first class mail, on all persons designated parties of record [POR] on the Commission's service list, served on May 19, 1995.

FOR FURTHER INFORMATION CONTACT: Julia Farr, (202) 927-5352. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: By this responsive application, GNBC seeks modification of overhead trackage rights it holds over an approximately 60-mile BN line between Snyder, OK, and Quanah, TX. The trackage rights were granted to GNBC in conjunction with its purchase of a rail line from BN in 1987. GNBC requests that the trackage rights be amended to allow for interchanges with other carriers at Altus, OK and at Quanah. GNBC states that this would allow for interchange with GNBC's sister corporation, Farmrail Corporation (FMRC) at Altus, and with Southern Pacific Transportation Company (SP) at Quanah. GNBC states that it expects that a commonly controlled BN/Santa Fe would provide facilities in Altus and Quanah which would allow for the direct interchange between GNBC and other carriers. Furthermore, GNBC requests the right to provide local service to industries located at and in the vicinity of Altus.

GNBC's responsive application substantially complies with the applicable regulations, and it has therefore been accepted for consideration by the Commission.

The responsive application and exhibits are available for inspection in the Public Docket Room at the offices of the Commission in Washington, D.C. In addition, they may be obtained upon request from GNBC's representative named above.

This responsive application is consolidated for disposition with the

Finance Docket No. 32549 primary application (and all embraced proceedings). Service of an initial decision will be waived, and determination of the merits of the responsive application will be made in the first instance by the entire Commission. 49 U.S.C. 11345(f).

Interested persons may participate formally by submitting written comments regarding the responsive application, subject to the filing and service requirements specified above. Such comments (referred to as "responses" in the procedural schedule) should indicate the exact proceeding designation and should be filed with the Commission by June 9, 1995. Comments shall include the following: the commenter's position in support of or in opposition to the proposed transaction; any and all evidence, including verified statements, in support of or in opposition to the proposed transaction; and specific reasons why approval would or would not be in the public interest. Interested persons who do not intend to participate formally in the proceeding but who desire to comment may also file statements, also subject to the filing and service requirements specified above. Persons must state specifically whether they intend to participate actively in the proceeding or whether they wish only to be advised of all decisions issued by the Commission. Failure to state an intention to participate as an active party will result in the person being placed in the latter category.

Because GNBC's responsive application contains proposed conditions to approval of the primary application in Finance Docket No. 32549, the Commission will entertain no requests for affirmative relief to this proposal. Parties may only participate in direct support of or direct opposition to GNBC's responsive application as filed.

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

Decided: May 17, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-12888 Filed 5-24-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32549 (Sub-No. 13)]

Houston Lighting and Power Company; Trackage Rights Over Lines of The Atchison, Topeka and Santa Fe Railway Company in Texas

AGENCY: Interstate Commerce Commission.

ACTION: Decision No. 22; Notice of acceptance of responsive application filed by Houston Lighting and Power Company.

SUMMARY: The Commission is accepting for consideration the application filed by Houston Lighting and Power Company (HL&P) for trackage rights over lines of The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) between Rosenberg, TX, and Smithers Lake, TX, and/or between Sealy, TX, and Smithers Lake, TX. This application is responsive to the primary application filed by Burlington Northern Railroad Company (BN) and its corporate parent, Burlington Northern Inc. (BNI), and Santa Fe and its corporate parent, Santa Fe Pacific Corporation (SFP), by which primary applicants BNI, BN, SFP, and Santa Fe seek approval for BNI's acquisition of, control of, and merger with SFP, the resulting common control of BN and Santa Fe by the merged company, the consolidation of BN and Santa Fe railroad operations, and the merger of BN and Santa Fe.

DATES: The effective date of this decision is May 25, 1995. Comments regarding the HL&P responsive application must be filed with the Commission by June 9, 1995. Rebuttal in support of the HL&P responsive application must be filed by June 19, 1995. Briefs (not to exceed 50 pages) must be filed by June 29, 1995.

ADDRESSES: An original and 20 copies of all documents must refer to Finance Docket No. 32549 (Sub-No. 13) and be sent to the Office of the Secretary, Case Control Branch, Attn: Finance Docket No. 32549 (Sub-No. 13), Interstate Commerce Commission, 1201 Constitution Avenue, NW., Washington, DC 20423. Parties are encouraged also to submit all pleadings and attachments on a 3.5-inch diskette in WordPerfect 5.1 format.

In addition, one copy of all documents in this proceeding must be served, by first class mail, on: The Secretary of the Department of Transportation; the Attorney General of the United States; Administrative Law Judge Jacob Leventhal, Federal Energy Regulatory Commission, Office of Hearings, 825 North Capitol Street, NE., Washington, DC 20426; Betty Jo Christian, Esq., Steptoe & Johnson, 1330

Connecticut Avenue, NW., Washington, DC 20036-1795 (representing primary applicants BNI and BN); Erika Z. Jones, Esq., Mayer, Brown & Platt, 2000 Pennsylvania Avenue, NW., Suite 6500, Washington, DC 20006 (representing primary applicants SFP and Santa Fe); and C. Michael Loftus, Esq., Slover & Loftus, 1224 Seventeenth Street, NW., Washington, DC 20036 (representing responsive applicant HL&P).

Furthermore, one copy of all documents in this proceeding must be served, by first class mail, on all persons designated parties of record [POR] on the Commission's service list, served on May 19, 1995.

FOR FURTHER INFORMATION CONTACT: Julia Farr, (202) 927-5352. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: By this responsive application, HL&P seeks trackage rights over certain lines of Santa Fe between Rosenberg, TX, and Smithers Lake, TX, and/or between Sealy, TX, and Smithers Lake, TX. Specifically, HL&P seeks overhead trackage rights on behalf of a rail carrier(s) unaffiliated with the primary applicants over a 47.2-mile Santa Fe line for the movement of coal trains between milepost 94.6, at Sealy, TX, and Smithers Lake, TX, where HL&P's coal-fired electric generating facility known as the W.A. Parish Electric Generating Station (Parish Station) is located. HL&P also seeks, instead of or in addition to its first request, overhead trackage rights on behalf of a rail carrier(s) unaffiliated with the primary applicants over an 18.8-mile Santa Fe line for the movement of coal trains between milepost 66.2, at Rosenberg, TX, and Smithers Lake, TX, where the Parish Station is located. HL&P asserts that the requested trackage rights would serve to maintain existing rail competition that would be eliminated if the Commission approves the proposed BN/Santa Fe merger.

HL&P's responsive application substantially complies with the applicable regulations,¹ and it has therefore been accepted for consideration by the Commission.

The responsive application and exhibits are available for inspection in the Public Docket Room at the offices of the Commission in Washington, DC. In addition, they may be obtained upon request from HL&P's representative named above.

¹ HL&P states that it recognizes that, because it is not an "applicant carrier" as defined by 49 CFR 1180.3(b), applicant carriers who may receive such requested trackage rights as a result of this responsive application will necessarily have to resolve carrier-specific, trackage rights issues in a "follow-up proceeding." (HLP-12, at 3-4.)