

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: DC NEWS AND DATA, INC., Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services, (202) 927-5721.]

Decided: October 2, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-25277 Filed 10-11-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-290 (Sub-No. 172X)]

**Norfolk Southern Railway Company—
Abandonment Exemption— in
Granville and Vance Counties, NC**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903-04 the abandonment by Norfolk Southern Railway Company (NSR) of a 13-mile segment of its branch line extending between milepost I-1.0 at O & H Junction and milepost I-14.0 at Henderson, in Granville and Vance Counties, NC, subject to standard labor protective conditions.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on November 11, 1995. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2) must be filed by October 23, 1995; petitions to stay must be filed by October 27, 1995; requests for a public use condition must be filed by November 1, 1995; and petitions to reopen must be filed by November 6, 1995.

ADDRESSES: Send pleadings referring to Docket No. AB-290 (Sub-No. 172X) to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423, and (2) Petitioner's representative: James R. Paschall, Norfolk Southern Corporation,

Three Commercial Place, Norfolk, VA 23510-2191.

FOR FURTHER INFORMATION CONTACT:

Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

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Decided: September 28, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-25274 Filed 10-11-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-441 (Sub-No. 1X)]

**SWKR Operating Co., Inc.—
Abandonment Exemption—in Cochise
County, AZ**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 10903-04 the abandonment by SWKR Operating Co., Inc., of 17.26 miles of railroad lines in Cochise County, AZ, subject to standard labor protective conditions, environmental conditions, and an historic preservation condition. The lines proposed for abandonment consist of: (1) The Bisbee Branch between milepost 1085.0 at Bisbee Jct. and milepost 1090.6 at Bisbee; and (2) a segment of the Douglas Branch, between milepost N 1097.30 near Paul Spur and the end of the line at milepost N 1107.96, near Douglas, including a 1-mile line from milepost 1107 in Douglas to the international border with Mexico at Agua Prieta.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on November 11, 1995. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)¹ must be filed by October 23, 1995. Petitions to stay must be filed by

October 23, 1995, and petitions to reopen must be filed by November 1, 1995. Requests for a public use condition conforming to 49 CFR 1152.28(a)(2) must be filed by November 1, 1995.

ADDRESSES: Send pleadings referring to Docket No. AB-441 (Sub-No. 1X) to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Petitioner's representative: Fritz R. Kahn, Suite 750 West, 1100 New York Ave., N.W., Washington, DC 20005-3934.

FOR FURTHER INFORMATION CONTACT:

Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

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Decided: September 28, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-25272 Filed 10-11-95; 8:45 am]

BILLING CODE 7035-01-P-M

[Finance Docket No. 32745]

**Tuscola and Saginaw Bay Railway
Company, Inc., Modified Certificate**

On July 6, 1995, Tuscola and Saginaw Bay Railway Company, Inc., (TSBY) filed a notice for a modified certificate of public convenience and necessity under 49 CFR Part 1150, Subpart C, to operate 118.45 miles of rail line as follows: (1) A 93.2-mile portion of United States Railroad Administration (USRA) Line No. 454 extending between milepost 332.8 at Cadillac, MI, and milepost 332.8 at Petoskey, MI, including the Cadillac North yard and Cadillac Beltway and (2) a 25.25-mile portion of USRA Line No. 470 extending between milepost 0.0 at Walton Junction, MI, and milepost 25.25 at Traverse City, MI.

These rail lines are owned by the State of Michigan (Michigan). They were not included in the final system plan at the time the Consolidated Rail Corporation was formed, and as such,

¹ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

¹ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

were authorized to be abandoned without further Commission approval pursuant to the Railroad Revitalization and Regulatory Reform Act of 1976.

The lines involved here are part of the Pennsylvania Railroad Company's former Grand Rapids & Indiana North line extending from Grand Rapids, (Comstock Park) to Mackinaw City, MI. Michigan Northern Railway Company operated the lines as Michigan's Designated Operator until 1984. See D-OP 8 *Certificate of Designated Operator, Michigan Northern Railway Company, Inc.*, D-OP 8 (USRA Line Nos. 454, 454a, 461, and 470-PC) (ICC served May 5, 1976). In 1984, Michigan purchased most of the Grand Rapids & Indiana North lines from the successor to the Penn Central Transportation Company. At that time, Michigan designated TSBY to operate the Reed City to Petoskey, MI, line segment. See *Certificate of Designated Operator Tuscola and Saginaw Bay Company Railway Company, Inc.*, D-OP 56 (USRA Line Nos. 454, 454a, and 470) (ICC served Nov. 23, 1984 and Jan. 7, 1984).

The Commission will serve a copy of this notice on the Association of American Railroads (Car Service Division), as agent for all railroads subscribing to the car-service and car-hire agreement, and on the American Short Line Railroad Association.

Decided: October 3, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-25276 Filed 10-11-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32744]

Tuscola and Saginaw Bay Railway Company, Inc. Modified Certificate

On July 6, 1995, Tuscola and Saginaw Bay Railway Company, Inc., (TSBY) filed a notice for a modified certificate of public convenience and necessity under 49 CFR Part 1150, Subpart C, to operate 123.7 miles of rail line as follows: (1) A 122.5-mile portion of United States Railroad Administration (USRA) Line No. 1301 extending between milepost 147.5 at Alma, MI, and milepost 270 at Thompsonville, MI; and (2) a 1.2-mile portion of USRA Line No. 1302 extending between milepost 270 at Thompsonville, MI, and milepost 271.2 west of Thompsonville, MI.

These rail lines are owned by the State of Michigan (Michigan). They were not included in the final system plan at the time the Consolidated Rail Corporation was formed, and as such,

were authorized to be abandoned without further Commission approval pursuant to the Railroad Revitalization and Regulatory Reform Act of 1976.

The lines involved here are part of the northern segment of the former Ann Arbor line extending from Ann Arbor, MI, to Frankfort, MI. The Michigan Interstate Railway Company operated the line as Michigan's Designated Operator until 1982. See *Certificate of Designated Operator Michigan Interstate Railway Company*, D-OP 20 (USRA Line Nos. 445A, 1300 1301, 1302, and 1303-AA) (ICC served Sept. 30, 1977), and *Certificate of Designated Operator Michigan Interstate Railway Company*, D-OP 49 (USRA Line Nos. 445A, 1300, 1301, 1302, and 1303-AA) (ICC served July 28, 1982). At that time, Michigan terminated its Designated Operator agreement with Michigan Interstate Railway Company and designated Michigan Northern Railway Company to operate the line from Alma to Frankfort. See *Certificate of Designated Operator Michigan Northern Railway Company*, D-OP 52 (USRA Line Nos. 1300, and 1301-AA) (ICC served Jan. 20, 1983). Subsequently, in 1985 Michigan designated TSBY to replace Michigan Northern Railway Company as the Designated Operator to operate the involved line, *Certificate of Designated Operator-Tuscola and Saginaw Railway Company*, D-OP 55 (USRA Line Nos. 1301, 1302, and 1302). (ICC served Apr. 26, 1985).

The Commission will serve a copy of this notice on the Association of American Railroads (Car Service Division), as agent for all railroads subscribing to the car-service and car-hire agreement, and on the American Short Line Railroad Association.

Decided: October 3, 1995.

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

Vernon A. Williams,
Secretary.

[FR Doc. 95-25279 Filed 10-11-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32743]

Tuscola and Saginaw Bay Railway Company, Inc., Modified Certificate

On July 6, 1995, Tuscola and Saginaw Bay Railway Company, Inc., (TSBY) filed a notice for a modified certificate of public convenience and necessity under 49 CFR Part 1150, Subpart C, to operate 127.11 miles of rail line as follows: (1) A 58.5-mile portion of United States Railroad Administration (USRA) Line No. 1300, extending between milepost 47.5 at Ann Arbor,

MI, and milepost 106 at Owosso, MI; (2) the 41.5-mile USRA Line No. 1301 extending between milepost 106 at Owosso, MI and milepost 147.5 at Alma, MI; and (3) a 27.11-mile portion of USRA Line No. 455a extending between milepost 64.19 at Owosso, MI and milepost 91.30 at Swan Creek, MI.

These rail lines, except as noted below, are owned by the State of Michigan (Michigan). They were not included in the final system plan at the time the Consolidated Rail Corporation was formed, and as such, were authorized to be abandoned without further Commission approval pursuant to the Railroad Revitalization and Regulatory Reform Act of 1976.

These lines are part of northern segment of the former Ann Arbor line extending from Ann Arbor to Frankfort, MI. Michigan Interstate Railway Company operated the lines as Michigan's Designated Operator until 1982. See *Certificate of Designated Operator Michigan Interstate Railway Company*, D-OP 20, (USRA Line Nos. 1300, 1301, 1302, and 1303-AA) (ICC served Sept. 30, 1977) and *Certificate of Designated Operator Michigan Interstate Railway Company*, D-OP 49, (USRA Line Nos. 1300, 1301, 1302, and 1303-AA) (ICC served July 28, 1982). In 1982, Michigan terminated its Designated Operator agreement with Michigan Interstate Railway Company and designated TSBY to operate the portion of the Ann Arbor line extending from Ann Arbor, to Alma. See *Certificate of Designated Operator Tuscola and Saginaw Bay Railway Company*, D-OP 51 (USRA Line Nos. 445A, 1300, and 1301-AA) (ICC served Nov. 2, 1982). Pursuant to that Designated Operator certificate, TSBY also assumed operation of about 20 miles of the former New York Central Railway line extending from a connection with the Ann Arbor at Owosso to West Charles (Swan Creek), MI, which is southwest of Saginaw, MI.

Because the 13.71-mile line segment of USRA Line 1300 extending between milepost 95.69 at Durand, MI, and milepost 109.4 at Owosso, is owned by the Central Michigan Railway Company, it is not eligible for inclusion in this modified certificate of public convenience and necessity.

The Commission will serve a copy of this notice on the Association of American Railroads (Car Service Division), as agent for all railroads subscribing to the car-service and car-hire agreement, and on the American Short Line Railroad Association.

Decided: October 3, 1995.