

Pennsylvania Avenue, N.W.,
Washington, D.C. 20004.

As a condition to use of this exemption, any employees adversely affected by the trackage rights will be protected pursuant to *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: December 4, 1995.

By the Commission, Joseph H. Dettmar,
Acting Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95-30241 Filed 12-11-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket Nos. AB-364 (Sub-No. 2X) and AB-3 (Sub-No. 125X)]

Texas Northeastern Division, Mid-Michigan Railroad, Inc.; Discontinuance of Service Exemption; in Lamar and Red River Counties, TX; Missouri Pacific Railroad Company; Abandonment Exemption; in Lamar and Red River Counties, TX

Texas Northeastern Division, Mid-Michigan Railroad, Inc. (TNER), and Missouri Pacific Railroad Company (MP) have filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances* for TNER to discontinue service over and MP to abandon 29.1 miles of rail line extending from Clarksville (milepost 61.5) to Paris (milepost 90.6), in Lamar and Red River Counties, TX.¹

TNER and MP certify that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic 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 favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR

¹ Pursuant to 49 CFR 1152.50(d)(2), the railroad must file a verified notice with the Commission at least 50 days before the abandonment or discontinuance is to be consummated. The applicants, in their verified notice, indicated a proposed consummation date of January 3, 1996. Because the verified notice was not filed until November 22, 1995, consummation should not have been proposed to take place before January 11, 1996. Applicants' representatives have subsequently agreed that the proposed consummation date is January 11, 1996.

1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee adversely affected by the abandonment or discontinuance shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January 11, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29⁴ must be filed by December 22, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by January 2, 1996, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.⁵

A copy of any pleading filed with the Commission should be sent to applicant's representatives: Michael W. Blaszak, Texas Northeastern Division, Mid-Michigan Railroad, Inc., 211 South Leitch Avenue, LaGrange, IL 60525-2162; and Joseph D. Anthofer, Union Pacific Railroad Co., 1416 Dodge Street, Omaha, NE 68179.

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

TNER and MP have filed an environmental report which addresses the effects of the abandonment and discontinuance, if any, on the environment and historic resources. The Section of Environmental Analysis

² A stay will be issued routinely by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made before the effective date of this notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay involving environmental concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request before the effective date of this exemption.

³ See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁴ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

⁵ Legislation to terminate the Commission on December 31, 1995, is now pending enactment. Until further notice, parties submitting pleadings should continue to use the current name and address.

(SEA) will issue an environmental assessment (EA) by December 15, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

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

Decided: December 6, 1995.

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

Vernon A. Williams,

Secretary.

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JUDICIAL CONFERENCE OF THE UNITED STATES

Meeting of the Judicial Conference Committee on Rules of Practice and Procedure

AGENCY: Judicial Conference of the United States Committee on Rules of Practice and Procedure.

ACTION: Notice of open meeting.

SUMMARY: The Committee on Rules of Practice and Procedure will meet on January 10, at 7 p.m., and on January 11 and 12, at 8:30 a.m. The meeting will be open to public observation but not participation.

DATES: January 10-12, 1996.

ADDRESSES: The Ritz-Carlton, Marina del Rey, 4375 Admiralty Way, Marina del Rey, California.

FOR FURTHER INFORMATION CONTACT:

John K. Rabiej, Chief, Rules Committee Support Office, Administrative Office of the United States Courts, Washington, DC 20544, telephone (202) 273-1820.

Dated: December 6, 1995.

John K. Rabiej,

Chief, Rules Committee Support Office.

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