

coal receiver located on INRD's line currently can be served directly by CSXT. The remainder of INRD's 1995 coal traffic (approximately 12,000 carloads) moved in joint-line service with Soo, ISRR, and/or Conrail to utilities and industrial users in Indiana, Wisconsin, and Iowa, and none of those receivers is served by CSXT. Therefore, applicants conclude that the common control of INRD and CSXT will not diminish competition for INRD-originating coal traffic. INRD also provides overhead haulage services for CSXT between Bloomington and Sullivan, which accounted for approximately 10% of INRD's traffic in 1995.

The largest share of INRD's non-coal traffic, approximately 8,200 carloads in 1995, originated or terminated at local industries on INRD's main line at Robinson, IL. INRD is the only rail carrier serving Robinson. Less than 10% of INRD's 1995 traffic consisted of farm products (primarily grain) that originated at one of three country elevators located on INRD's main line between Newton and Sullivan. Applicants submit that the proposed transaction will strengthen grain competition by enhancing rail service between INRD origins and CSXT long-haul destinations, thereby improving access to potential markets for Indiana and Illinois grain producers.

CSXT owns 40% of Midland's issued and outstanding voting common stock, as well as options to acquire the remaining 60% of Midland's stock and certain nonvoting convertible preferred stock. CSXT proposes to acquire control of INRD through control of Midland, either by converting its preferred stock or by exercising its options to purchase the remainder of the outstanding common stock.<sup>2</sup>

Applicants maintain that the proposed transaction will preserve the quality of INRD's transportation services, improve those services through better coordination of operations and marketing with CSXT, and allow the pursuit of opportunities for operating efficiencies and expanded marketing through common ownership and operation. They state that the acquisition of control provides a financially attractive investment opportunity for CSXT, and that INRD's rail operations are a natural complement to those of CSXT, strengthening their existing operating relationship and facilitating joint marketing of their rail

services and tighter coordination of their operations. It will also allow INRD to enhance its services to its customers and provide greater access to CSXT's supply of freight cars.

Applicants propose to maintain INRD as a separate subsidiary for the foreseeable future, operating essentially in the same manner as it does today, with no significant changes in operations or service. Under CSXT's current operating plan, only modest operating efficiencies, marketing considerations, and service improvements are contemplated, while preserving INRD's existing schedules and services. If, however, CSXT later acquires the balance of Midland's common stock under the terms of its Option Agreement, applicants indicate that it is possible that CSXT will seek to coordinate more closely the carriers' operations. Applicants state that there are no present plans to close any existing interline route or to alter or cancel any existing divisions with connecting carriers.

Applicants submit that the proposed transaction will have no adverse impact on employees, and that all CSXT and INRD employees will retain their existing positions and responsibilities. Applicants acknowledge that approval of the transaction will be subject to the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

Under 49 CFR part 1180, we must determine whether a proposed transaction is major, significant, or minor. The proposed transaction, which involves the control by a Class I rail carrier of a Class III rail carrier, has no regional or national significance and will clearly not have any anticompetitive effects. We conclude that the competitive and operational effects of CSXT's control of INRD would be minimal and that none is adverse. Moreover, it appears that there is considerable potential for improved coordination of operations and marketing between CSXT and INRD that will positively affect the services provided by both carriers, especially INRD. Accordingly, we find the proposal to be a minor transaction under 49 CFR 1180.2(c), consistent with the categories of transactions now defined at 49 U.S.C. 11325(a). Because the application complies with the applicable regulations governing minor transactions, we are accepting it for consideration.

The application and exhibits are available for inspection in the Public Docket Room at the Offices of the Board in Washington, DC. In addition, they may be obtained upon request from

applicants' above named representatives.

Interested persons, including government entities, may participate in this proceeding by submitting written comments. Any person who files timely comments will be considered a party of record if the person so requests. No petition for leave to intervene need be filed.

Consistent with 49 CFR 1180.4(c)(1)(iii), written comments must contain:

(a) The docket number and title of the proceeding;

(b) The name, address, and telephone number of the commenting party and its representative upon whom service shall be made;

(c) The commenting party's position (i.e., whether it supports or opposes the proposed transaction);

(d) A statement whether the commenting party intends to participate formally in the proceeding or merely comment on the proposal;

(e) If desired, a request for an oral hearing with reasons supporting this request; the request must indicate the disputed material facts that can be resolved only at a hearing; and

(f) A list of all information sought to be discovered from the applicant carriers.

Because we have determined that this proposal is a minor transaction, no responsive applications will be permitted. The time limits for processing this transaction are set forth at 49 U.S.C. 11325(d).

Discovery may begin immediately. We encourage parties to resolve all discovery matters expeditiously and amicably.

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

*It is ordered:*

1. This application is accepted for consideration under 49 U.S.C. 11323–25 as a minor transaction under 49 CFR 1180.2(c).

2. The parties shall comply with all provisions stated above.

3. This decision is effective on August 2, 1996.

Decided: July 25, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,  
*Secretary.*

[FR Doc. 96–19615 Filed 8–1–96; 8:45 am]

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<sup>2</sup>By decision served May 3, 1996, in this proceeding, the Board granted a waiver to permit applicants to file this application without disclosing the consideration to be paid in connection with the transaction.

[STB Docket No. AB-475 (Sub-No. 2X)]

**New Hampshire and Vermont Railroad Company—Abandonment Exemption—in Coos County, NH**

New Hampshire and Vermont Railroad Company (NHVT) has filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to discontinue service over approximately 1.1 miles of railroad from milepost 154.6 (Station 1587.50 on Val. Sec. 24.2), to milepost 155.7 (Station 1645+23.5 on Val. Sec. 24.2), in Berlin Coos County, NH.<sup>2</sup>

NHVT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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 Board or with any U.S. District Court or has been decided in favor of 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 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) 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 this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(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 September 3, 1996, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>3</sup> formal expressions of intent to

<sup>2</sup> Under 49 CFR 1152.50(d)(2), the railroad must file a verified notice with the Board at least 50 days before the abandonment or discontinuance is to be consummated. NHVT's verified notice indicated a proposed consummation date of September 1, 1996. Because the verified notice was not filed until July 15, 1996, consummation should not have been proposed to take place prior to September 3, 1996. NHVT's representative has confirmed that the correct consummation date is on or after September 3, 1996.

<sup>3</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis 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

file an OFA under 49 CFR 1152.27(c)(2),<sup>4</sup> and trail use/rail banking requests under 49 CFR 1152.29<sup>5</sup> must be filed by August 12, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by August 22, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: David H. Anderson, 288 Littleton Road, Suite 21, Westford, MA 01886.

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

NHVT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by August 7, 1996. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Surface Transportation Board, 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 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.

Decided: July 29, 1996.

By the Board, David M. Konschnick,  
Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 96-19687 Filed 8-1-96; 8:45 am]

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**DEPARTMENT OF THE TREASURY**

**Submission for OMB Review;  
Comment Request**

July 22, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the

request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

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

<sup>5</sup> The Board 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.

submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Departmental Office/Office of Data Management

OMB Number: 1505-0149.

Form Number: None.

Type of Review: Extension.

Title: Reporting of International Capital and Foreign Currency Transactions and Positions, 31 CFR Part 128.

Description: 31 CFR Part 128 establishes general guidelines for reporting on United States claims on and liabilities to foreigners; on transactions in securities with foreigners; and on monetary reserves of the United States. It also establishes guidelines for reporting on the foreign currency transactions of U.S. persons. It includes recordkeeping requirement, § 128.5.

Respondents: Business or other for-profit.

Estimated Number of Recordkeepers: 2,000.

Estimated Burden Hours Per Recordkeeper: 3 hours.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 6,000 hours.

Clearance Officer: Lois K. Holland, (202) 622-1563, Departmental Offices, Room 2110, 1425 New York Avenue, N.W., Washington, DC 20220.

OMB Reviewer: Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 96-19631 Filed 8-1-96; 8:45 am]

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**Submission to OMB for Review;  
Comment Request**

July 23, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed