1201 Constitution Avenue, N.W., Washington, DC 20423 and served on: Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., 213 West Miner Street, P. O. Box 796, West Chester, PA 19381–0796.

Decided: August 22, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96–22206 Filed 8–29–96; 8:45 am]

BILLING CODE 4915–00–P

Surface Transportation Board [1]

[STB Finance Docket No. 33011]

Richard D. Robey—Continuance in Control Exemption—Lycoming Valley Railroad Company

Richard D. Robey (Robey), a noncarrier individual, has filed a notice of exemption to continue in control of Lycoming Valley Railroad Company (Lycoming), upon Lycoming's becoming a Class III rail carrier. Consummation was expected to occur on or after August 15, 1996.

Lycoming a noncarrier, has concurrently filed a notice of exemption in *SEDA-COG Joint Rail Authority and Lycoming Valley Railroad Company—Acquisition and Operation Exemption—Consolidated Rail Corporation,* STB Finance Docket No. 33010, to acquire approximately 38.0 [2] miles of rail line owned by Consolidated Rail Corporation known as the Williamsport Cluster in the counties of Clinton and Lycoming, PA.

Robey controls seven other nonconnecting Class III rail carriers: [3] North Shore Railroad Company; Nittany & Bald Eagle Railroad Company, Shamokin Valley Railroad Company; West Shore Railway Services, Inc.; Stourbridge Railroad Company, Inc.; Wellsboro and Corning Railroad Company; and Union County Industrial Railroad Company.

Robey states that: (1) Lycoming will not connect with any of the other railroads in its corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect Lycoming with any other railroad in its corporate family; and (3) the transaction does not involve a Class I railroad. The transaction therefore is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III railroad carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33011, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423 and served on: Richard R. Wilson, Vuono & Gray, 2310 Grant Building, Pittsburgh, PA 15219.

Decided: August 22, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96–22201 Filed 8–29–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323–24.

[2] Counsel has confirmed that the Williamsport Cluster consists of a total of approximately 38.0 miles.

[3] Robey has concurrently filed a notice of exemption in *Richard D. Robey—Continuance in Control Exemption—Juniata Valley Railroad Company,* STB Finance Docket No. 33009.

[STB[1] Finance Docket No. 33008]

SEDA–COG Joint Rail Authority and Juniata Valley Railroad Company—Acquisition and Operation Exemption—Consolidated Rail Corporation

SEDA–COG Joint Rail Authority (Authority) and Juniata Valley Railroad Company (Juniata), noncarriers, have filed a joint verified notice of exemption under 49 CFR 1150.31 for Authority to acquire through purchase and for Juniata to operate approximately 12.3 [2] miles of rail line owned by Consolidated Rail Corporation known as the Lewistown Cluster in Mifflin County, PA. Juniata will become a Class III rail carrier.[3] Consummation was expected to occur on or after August 15, 1996.

If the notice contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33008, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423 and served on: Richard R. Wilson, Vuono & Gray, 2310 Grant Building, Pittsburgh, PA 15219.

Decided: August 22, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96–22203 Filed 8–29–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

[2] Counsel has confirmed that the Lewistown Cluster consists of a total of approximately 12.3 miles.

[3] This proceeding is related to STB Finance Docket No. 33009, wherein Richard D. Robey, a noncarrier individual, has filed a notice of exemption to continue in control of Juniata upon Juniata's becoming a Class III rail carrier.

[STB[1] Finance Docket No. 33010]

SEDA–COG Joint Rail Authority and Lycoming Valley Railroad Company—Acquisition and Operation Exemption—Consolidated Rail Corporation

SEDA–COG Joint Rail Authority (Authority) and Lycoming Valley Railroad Company (Lycoming), noncarriers, have filed a joint verified notice of exemption under 49 CFR 1150.31 for Authority to acquire through purchase and for Lycoming to operate approximately 38.0 miles of rail line owned by Consolidated Rail Corporation known as the Williamsport Cluster in the counties of Clinton and Lycoming, PA. Lycoming will become a Class III rail carrier.[2] Consummation

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

[2] This proceeding is related to STB Finance Docket No. 33011, wherein Richard D. Robey, a noncarrier individual, has filed a notice of exemption to continue in control of Lycoming upon Lycoming's becoming a Class III rail carrier.