

railroads, have jointly filed a verified notice of exemption. The exempt transaction is a merger of WSRC into UCIR.

The earliest the transaction could be consummated was December 30, 1996, the effective date of the exemption (7 days after the exemption was filed).

UCIR will provide continuing rail common carrier service on the lines to be acquired by WSRC in STB Finance Docket No. 33329 and those previously operated by WSRC. The merger will improve the overall efficiency of rail operations and reduce costs associated with two corporate entities.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

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 rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33330, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Richard R. Wilson, Esq., Vuono & Gray,

operates approximately 8.965 miles of rail line in the Commonwealth of Pennsylvania.

2310 Grant Building, Pittsburgh, PA 15219.

Decided: January 6, 1997.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-952 Filed 1-14-97; 8:45 am]

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**[STB Finance Docket No. 33320]**

**Union Pacific Railroad Company; Corporate Family Exemption; Missouri Pacific Railroad Company**

Union Pacific Railroad Company (UP) and Missouri Pacific Railroad Company (MP), Class I railroad affiliates in the Union Pacific System, have filed a joint notice of exemption to undertake a corporate family transaction. Under the Agreement and Plan of Merger, MP will merge with and into UP. UP will be the surviving corporation, and the corporate existence of MP will cease. The proposed transaction was to be consummated on or about January 1, 1997.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers operating outside applicants' corporate family. The purpose of the transaction is to avoid duplicate reporting requirements, and to achieve cost efficiencies which will result through corporate simplification.

As a condition to this exemption, any employees adversely affected by the transaction will be protected under *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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. 33320, 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: Robert T. Opal, General Attorney, 1416 Dodge Street, #830, Omaha, NE 68179.

Decided: January 8, 1997.

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

Vernon A. Williams,

Secretary.

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**[STB Finance Docket No. 33329]**

**West Shore Railroad Corporation; Acquisition Exemption; Union County Industrial Railroad Company**

West Shore Railroad Corporation (WSRC), a Class III rail common carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire approximately 3.9 miles of rail line from the Union County Industrial Railroad Company (UCIR) between New Columbia, PA (MP 169.7), and Milton, PA (MP 173.6). UCIR will continue to provide rail common carrier service on behalf of WSRC.

The transaction was expected to be consummated on or after December 31, 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 does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33329, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on Richard R. Wilson, Esq., Vuono & Gray, 2310 Grant Building, Pittsburgh, PA 15219.

Decided: January 6, 1997.

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

Vernon A. Williams,

Secretary.

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