

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 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. 33412, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Mark H. Sidman, Esq., Weiner, Brodsky, Sidman & Kider, P.C., 1350 New York Avenue, N.W., Suite 800, Washington, DC 20005-4797.

Decided: November 24, 1997.

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

Vernon A. Williams,
Secretary.

[FR Doc. 97-31559 Filed 12-1-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33411]

Pacific Harbor Line, Inc.—Operation Exemption—Port of Los Angeles

Pacific Harbor Line, Inc. (PHL), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire operating rights from the City of Los Angeles, a municipal corporation, acting through its Board of Harbor Commissioners (LA). PHL will acquire the right to operate within LA's Port of Los Angeles (POLA) to provide switching services on track owned by POLA.¹

The transaction was expected to be consummated in phases on or after November 15, 1997.

This transaction is related to STB Finance Docket No. 33412, *Peter A. Gilbertson, H. Terry Hearst, Bruce A. Lieberman, R. Lawrence McCaffrey, Jr., Harold F. Parmly, and Anacostia Rail*

¹ Pursuant to the terms of an operating agreement, PHL's operating rights will be for a term of three years, subject to extension, modification, and earlier termination.

Holdings—Continuance in Control Exemption—Pacific Harbor Line, Inc., in which Peter A. Gilbertson, H. Terry Hearst, Bruce Lieberman, R. Lawrence McCaffrey, Jr., Harold F. Parmly and Anacostia Rail Holdings Company have filed a notice of exemption to continue in control of PHL upon its becoming a Class III rail carrier.

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 revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33411, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Mark H. Sidman, Esq., Weiner, Brodsky, Sidman & Kider, P.C., 1350 New York Avenue, N.W., Suite 800, Washington, DC 20005-4797.

Decided: November 24, 1997.

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

Vernon A. Williams,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33525]

Sierra Railroad Company—Acquisition and Operation Exemption—Sierra Pacific Industries

Sierra Railroad Company, a Class III rail common carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire and operate approximately 12 miles of rail line in Amador County, CA, known as the Amador Branch, from Sierra Pacific Industries (Sierra Pacific). The Amador Branch extends from milepost 0.0, in Ione, to milepost 12.0, at Martell.¹

The transaction is scheduled to be consummated on December 1, 1997.

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

¹ The Amador Branch includes a yard and repair shops at Martell as well as additional spur trackage at the Sierra Pacific mill and particle board plant located at milepost 11.6.

a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33525, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on James F. Flint, Esq., Grove, Jaskiewicz and Cobert, 1730 M Street, NW., Suite 400, Washington, DC 20036.

Decided: November 24, 1997.

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

Vernon A. Williams,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-57 (Sub-No. 43X)]

Soo Line Railroad Company—Abandonment Exemption—in St. Louis County, MN

Soo Line Railroad Company (Soo) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon an approximately 3.0+-mile line of railroad known as the West Duluth Line, between milepost 465.43+ and milepost 468.43+ in West Duluth, in St. Louis County, MN. The line traverses United States Postal Service Zip Code 55802.

Soo has certified that: (1) no local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted; (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 Surface Transportation Board (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