

Dated: November 26, 1997.

Joel C. Richard,

Secretary.

[FR Doc. 97-31561 Filed 12-1-97; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Sec. 5a Application No. 61]

National Classification Committee— Agreement

AGENCY: Surface Transportation Board.

ACTION: Extension of deadlines for filing comments.

SUMMARY: The Surface Transportation Board is granting a 3-week extension of the deadlines for filing opening and reply comments in this proceeding. All other dates and deadlines remain the same.

DATES: Opening comments are now due by January 29, 1998. Reply comments are now due by February 26, 1998.

ADDRESSES: Send an original and 10 copies of notices of intent to participate (still due by November 28, 1997) and comments, referring to "Section 5a Application No. 61," to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423. Opening and reply comments must be served on the persons identified as "parties of record" on the service list.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION: This proceeding involves the issue of whether, under 49 U.S.C. 13703(d) and (e), it is in the public interest to renew the bureau agreement of the National Classification Committee, which administers the National Motor Freight Classification. For additional information, see the notice published in the **Federal Register** on November 13, 1997.

Decided: November 25, 1997.

By the Board, Vernon A. Williams,
Secretary.

Vernon A. Williams,

Secretary.

[FR Doc. 97-31629 Filed 12-1-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33509]

Colorado, Kansas & Pacific Railway Company—Acquisition and Operation Exemption—Union Pacific Railroad Company

Colorado, Kansas & Pacific Railway Company (Colorado), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Union Pacific Railroad Company and to operate approximately 121.9 miles of rail line between milepost 747.5, near Towner, and milepost 869.4, near NA Junction, in Kiowa, Crowley, and Pueblo Counties, CO (Line).¹

The transaction was expected to be consummated on or about November 17, 1997.

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. 33509, 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 John D. Heffner, Esq., Rea, Cross & Auchincloss, 1920 N Street, N.W., Suite 420, Washington, DC 20036.

Decided: November 25, 1997.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-31556 Filed 12-1-97; 8:45 am]

BILLING CODE 4915-00-P

¹ The Line was the subject of an application for abandonment in Docket No. AB-3 (Sub-No. 130), *Missouri Pacific Railroad Company—Abandonment—Towner-NA Junction Line in Kiowa, Crowley, and Pueblo Counties, CO*, and discontinuance of trackage rights operations in the embraced Docket No. AB-8 (Sub-No. 38), *The Denver and Rio Grande Western Railroad Company—Discontinuance of Trackage Rights—Towner-NA Junction Line in Kiowa, Crowley and Pueblo Counties, CO*. The abandonment and discontinuance were granted in *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSC Corp., and The Denver and Rio Grand Western Railroad Company*, Finance Docket No. 32760 (STB served Aug. 12, 1996). Colorado indicates that the abandonment was never consummated.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33412]

Peter A. Gilbertson, H. Terry Hearst, Bruce A. Lieberman, R. Lawrence McCaffrey, Jr., Harold F. Parnly, and Anacostia Rail Holdings Company— Continuance in Control Exemption— Pacific Harbor Line, Inc.

Peter A. Gilbertson, H. Terry Hearst, Bruce A. Lieberman, R. Lawrence McCaffrey, Jr., and Harold F. Parnly (Gilbertson, *et al.*), noncarrier individuals, and Anacostia Rail Holdings Company (ARC), a noncarrier holding company (collectively Applicants), have filed a verified notice of exemption to continue in control of Pacific Harbor Line, Inc. (PHL) upon PHL's becoming a Class III rail carrier.

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

This transaction is related to STB Finance Docket No. 33411, *Pacific Harbor Line, Inc.—Operation Exemption—Port of Los Angeles*, in which PHL seeks to acquire operating rights within the City of Los Angeles' Port of Los Angeles (POLA) to provide switching service on track owned by POLA.

Applicants own and control two existing Class III common carriers by rail: Louisville & Indiana Railroad Company, operating in Southern Indiana and Northern Kentucky; and the New York & Atlantic Railway Company, operating within the State of New York. With the exception of R. Lawrence McCaffrey, Jr., each of Gilbertson, *et al.* is an officer and/or director of the Chicago SouthShore & South Bend Railroad Corporation (CSS), a Class III common carrier by rail, operating in Northern Illinois and Northern Indiana. In addition, Gilbertson *et al.* are minority shareholders in CSS's corporate general partner SouthShore Corporation, a noncarrier.

Applicants state that: (i) the railroads will not connect with each other or any railroad in their corporate family; (ii) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction 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