

1100 New York Avenue, N.W.,
Washington, DC 20005-3934.

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

SUPPLEMENTARY INFORMATION:

Applicants are competitors on certain intercity routes between Albany, NY, and Boston, MA. They seek to pool portions of their passenger and express services over routes which they both operate.¹ They will not, however, share the revenues derived from their operations over these routes.²

Applicants state that their services between these points overlap and that excess schedules are operated because of the need to protect their respective market shares. According to applicants, this has resulted in unacceptably low load factors, an over-served market, and inefficient operations.

Applicants submit that the pooling agreement will allow them to reduce excess bus capacity, cement their business relationship, and allow them to share in the financial vicissitudes of the pooled-route operations. They claim public benefits that will include: (1) rationalization of schedules, eliminating some duplicative departures while adding some departures at other times of the day, resulting in more frequent bus service over a broader time period; (2) consolidation of terminals and coordination of ticketing at Boston, MA, Newton, MA, Worcester, MA, Springfield, MA, and Albany, NY, resulting in greater flexibility for passengers to use buses, tickets, and terminals; (3) capital improvements; and

(4) continued bus service by more sound and financially stable carriers. In addition, they assert that approval of the pooling agreement will not significantly affect either the quality of the human environment or the conservation of energy resources. Rather, they claim that the reduction in the number of schedules each carrier operates will result in a salutary effect on the environment.

Applicants state that competition will not be unreasonably restrained. They argue that: (1) the pooled service is subject to substantial intermodal competitive pressure from Amtrak, the airlines, and private automobiles; and (2) other motor passenger carriers may easily enter and compete in the market.

Copies of the application may be obtained free of charge by contacting applicants' representatives. A copy of this notice will be served on the Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue, N.W., Washington, DC 20530.

Decided: January 7, 1998.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 98-1117 Filed 1-15-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33533]

Illinois Central Railroad Company and New Orleans Public Belt Railroad— Joint Relocation Project Exemption— in New Orleans, LA

On December 23, 1997, Illinois Central Railroad Company (IC) and New Orleans Public Belt Railroad (NOPB) jointly filed a notice of exemption under 49 CFR 1180.2(d)(5) to reconfigure IC and NOPB operations over their adjacent track. The proposed transaction was scheduled to be consummated on or after the December 30, 1997 effective date of the exemption.

IC is a Class I railroad operating approximately 2,600 miles of rail line in six states, and NOPB is a Class III terminal switching railroad owned by the City of New Orleans, LA. NOPB operates approximately 25 miles of rail line in and around New Orleans.

Within the City of New Orleans, IC and NOPB own and operate adjacent mainlines. Under the joint project, IC and NOPB propose the following transactions: (1) NOPB will grant IC non-exclusive bridge trackage rights

over 3.4 miles of NOPB's Main Line and Siding Track between milepost JO.3, at Lampert Junction, and milepost 3.4, at Nashville Avenue;¹ (2) IC will relocate its operation to NOPB trackage and will abandon its adjacent Main Line trackage between milepost 917.77, at Nashville Avenue, and milepost 921.13, at Lampert Junction, a distance of approximately 3.36 miles; (3) IC will grant NOPB non-exclusive bridge trackage rights over approximately 5,568 feet of IC's Main Line from Station 120+00.00, at Nashville Avenue, to Station 175+68.09, at Valence Street; and (4) IC and NOPB will perform such incidental relocation of signals and power switches as necessary to complete the proposed reconfiguration of operations contemplated by the exemption.

The transaction will simplify rail operations in the area and will reduce the number of unnecessary tracks on street right-of-way and reduce the number of tracks in grade crossings in the area. The joint project will not change service to shippers, expand the operations of IC or NOPB into new territory, or alter the existing competitive situation.

The Board will exercise jurisdiction over the abandonment or construction components of a relocation project, and require separate approval or exemption, only where the removal of track affects service to shippers or the construction of new track involves expansion into new territory. *See City of Detroit v. Canadian National Ry. Co., et al.*, 9 I.C.C.2d 1208 (1993), *aff'd sub nom., Detroit/Wayne County Port Authority v. ICC*, 59 F.3d 1314 (D.C. Cir. 1995). Line relocation projects may embrace trackage rights transactions such as the one involved here. *See D.T.&I.R.—Trackage Rights*, 363 I.C.C. 878 (1981). Under these standards, the incidental abandonment, construction, and trackage rights components require no separate approval or exemption when the relocation project, as here, will not disrupt service to shippers and thus qualifies for the class exemption at 49 CFR 1180.2(d)(5).

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

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

¹ IC will continue to serve the Sewerage and Water Board track near Oak Street.

¹ Applicants have already received authority to pool their operations and revenues for their motor passenger and express transportation service between Philadelphia, PA, and New York, NY, in *Peter Pan Bus Lines, Inc.—Pooling—Greyhound Lines, Inc.*, STB Docket No. MC-F-20904 (STB served June 30, 1997). A similar request involving operations between New York City and Washington, DC, is pending in *Peter Pan Bus Lines, Inc.—Pooling—Greyhound Lines, Inc.*, STB Docket No. MC-F-20908. A third request involving operations between Boston and New York City, and also Springfield, MA, and New York City, is also pending in *Peter Pan Bus Lines, Inc.—Pooling—Greyhound Lines, Inc.*, STB Docket No. MC-F-20912. According to applicants, the instant application is a logical extension of their other pooling agreements. Applicants state that they consider the four agreements to be interrelated and intend to implement them simultaneously after approval by the Board. We note that the United States Department of Justice, Antitrust Division, has filed comments in STB Docket No. MC-F-20908, recommending that the Board find that there is a substantial likelihood that the proposed pooling of operations between New York City and Washington would unduly restrain competition.

² Applicants state that each bus line will set its own passenger fares and express rates, and each will retain its individual revenues from operations on the pooled routes.

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. 33533, 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 (1) Anne E. Keating, Esq., Illinois Central Railroad Company, 455 North Cityfront Plaza Drive, Chicago, IL 60611-5504, and (2) A. J. Waechter, Esq., Jones, Walker, Waechter, Portevent, Carrere and Denegre, 202 St. Charles Avenue, 50th Floor, New Orleans, LA 70170-5100.

Decided: January 9, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-1118 Filed 1-15-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33535]

Maumee & Western Railroad Corporation—Operation Exemption—Maumee & Western, L.L.C.

Maumee & Western Railroad Corporation, a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire operating rights over a line of railroad owned by Maumee & Western, L.L.C., from Liberty Center, OH (milepost TN-28.0), to Woodburn, IN (milepost 79.0), a distance of approximately 51 route miles.

The transaction was scheduled to be consummated on or after December 31, 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. 33535, 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 Richard R. Wilson, Esq., 1126 Eighth Avenue, Suite 403, Altoona, PA 16602.

Decided: January 7, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-1067 Filed 1-15-98; 8:45 am]

BILLING CODE 4915-00-P

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33449]

Union Pacific Railroad Company—Trackage Rights Exemption—Southern Pacific Transportation Company

Southern Pacific Transportation Company (SP) has agreed to grant overhead trackage rights to Union Pacific Transportation Company (UP) over SP's tracks known as the Bakersfield Line from milepost 479.1 near Keenbrook to milepost 481.0 near Dike, a distance of 1.9 miles, in the vicinity of Los Angeles, CA.¹

The transaction was expected to be consummated on or as soon as possible after January 7, 1998, the effective date of the exemption.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). 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. 33449, must be filed with the Surface Transportation Board, Office

¹ UP states that it filed this notice of exemption to extend the trackage rights it received from SP in STB Finance Docket No. 33128 (STB served Oct. 8, 1996), which included, among others, the Bakersfield Line between Dike (MP 481.0) and West Colton (MP 494.2).

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: Joseph D. Anthofer, General Attorney, 1416 Dodge Street, #830, Omaha, NE 19381-0796.

Decided: January 7, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-1069 Filed 1-15-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33536]

Wabash Central Railroad Corporation—Operation Exemption—Wabash Central, L.L.C.

Wabash Central Railroad Corporation, a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire operating rights over a line of railroad owned by Wabash Central, L.L.C., from Craigsville, IN (milepost 117.8), to Van Buren, IN (milepost 108.6), a distance of approximately 26.4 miles of rail line and incidental trackage rights.

The transaction was scheduled to be consummated on or after December 31, 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. 33536, 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 Richard R. Wilson, Esq., 1126 Eighth Avenue, Suite 403, Altoona, PA 16602.

Decided: January 7, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-1068 Filed 1-15-98; 8:45 am]

BILLING CODE 4915-00-P