

RMW states that its control of the three carrier entities actually occurred on or about December 15, 1997, upon the acquisition of three separate rail lines by its three subsidiary corporations. Due to an apparent oversight, RMW did not file its verified notice of exemption with the Board until February 26, 1998. Thus, the effective date of the exemption is March 5, 1998 (7 days after the exemption was filed).<sup>3</sup>

RMW states that: (i) The railroads do not connect with each other or any railroad in their corporate family; (ii) the acquisition of control is not part of a series of anticipated transactions that would connect the three 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 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. 33565, 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: March 3, 1998.

served Oct. 31, 1997); *Maumee & Western Railroad Corporation—Operation Exemption—Maumee & Western, L.L.C.*, STB Finance Docket No. 33535, (STB served Jan. 16, 1998); and *Wabash Central Railroad Corporation—Operation Exemption—Wabash Central, L.L.C.*, STB Finance Docket No. 33536 (STB served Jan. 16, 1998).

<sup>3</sup>The class exemption invoked by RMW does not provide for retroactive (or *nunc pro tunc*) effectiveness.

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-33 (Sub-No. 118X)]

#### Union Pacific Railroad Company— Abandonment Exemption—In Colorado Springs, El Paso County, CO (Templeton Gap Spur)

On February 18, 1998, Union Pacific Railroad Company (UP) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a line of railroad known as the Templeton Gap Spur, extending from the end of the line at railroad milepost 602.70 (at North Academy Boulevard) to railroad milepost 605.77 (at Templeton Gap Road), in Colorado Springs, a distance of 3.07 miles, in El Paso County, CO. The line traverses U.S. Postal Service Zip Codes 80907 and 80909. UP indicates that there are no non-agency rail stations on the line.

The line does not contain federally granted rights-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by June 8, 1998.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. An offer may be filed at any time after the filing of the petition for exemption. For offers filed before March 20, 1998, the offer must be accompanied by a \$900 filing fee. For offers filed on or after March 20, 1998, the offer must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25) and *Regulations Governing Fees for Service Performed in Connection with Licensing and Related Services—1998 Update*, STB Ex Parte No. 542 (Sub-No. 2) (STB served Feb. 18, 1998).

All interested persons should be aware that, following abandonment of

rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than March 30, 1998. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-33 (Sub-No. 118X) and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001, and (2) Joseph D. Anthofer, Union Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179-0830.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152.

Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. (TDD for the hearing impaired is available at (202) 565-1695.)

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Decided: March 3, 1998.

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

**Vernon A. Williams,**  
*Secretary.*

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## DEPARTMENT OF VETERANS AFFAIRS

### Wage Committee; Meetings

The Department of Veterans Affairs (VA), in accordance with Pub. L. 92-463, gives notice that meetings of the VA Wage Committee will be held on:

Wednesday, April 8, 1998, at 2 p.m.  
Wednesday, April 22, 1998, at 2 p.m.  
Wednesday, May 6, 1998, at 2 p.m.  
Wednesday, May 20, 1998, at 2 p.m.