

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33561]

Port of Pend Oreille d/b/a Pend Oreille Valley Railroad—Acquisition and Operation Exemption—The Burlington Northern and Santa Fe Railway Co.

Port of Pend Oreille d/b/a Pend Oreille Valley Railroad (POVA),¹ a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire the exclusive rail freight easement and all track structures on a 24.9-mile rail line currently owned by The Burlington Northern and Santa Fe Railway Company (BNSF).² The rail line involved in the acquisition transaction is located between milepost 1433.0, at Newport, WA, and milepost 1408.1, at Dover, ID. In conjunction with the acquisition of the rail freight easement and track structures, POVA will acquire incidental overhead trackage rights over BNSF's 6.9-mile rail line between milepost 1408.1, at Dover, ID, and milepost 1401.2, at North Sandpoint, ID.

The transaction was scheduled to be consummated on or after March 1, 1998.

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. 33561, 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 Karl Morell, Esq., BALL JANIK LLP, 1455 F Street, N.W., Suite 225, Washington, DC 20005.

Decided: March 3, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98-6141 Filed 3-9-98; 8:45 am]

BILLING CODE 4915-00-P

¹ The Port of Pend Oreille is a municipal corporation of the State of Washington and operates, as the Pend Oreille Valley Railroad, a 61-mile rail line between Newport and Metaline Falls, WA.

² Applicant states that BNSF will retain ownership of the real estate underlying the rail line being acquired, and POVA will become the exclusive operator of the rail line.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33541]

RMW Ventures, L.L.C.—Corporate Family Transaction Exemption—C&NC, L.L.C., Maumee & Western, L.L.C., and Wabash Central, L.L.C.

RMW Ventures, L.L.C. (RMW), a noncarrier holding corporation for C&NC, L.L.C., Maumee & Western, L.L.C., and Wabash Central, L.L.C.,¹ has filed a verified notice of exemption. The proposed exempt transaction is a merger of C&NC, L.L.C., Maumee & Western, L.L.C., and Wabash Central, L.L.C., into RMW.

The parties intended to consummate the transaction on or after February 20, 1998. However, the exemption in STB Finance Docket No. 33541 could not become effective until after the effective date of the transaction in STB Finance Docket No. 33565, *RMW Ventures, L.L.C.—Control Exemption—C&NC, L.L.C., Maumee & Western, L.L.C., and Wabash Central, L.L.C.*²

The proposed merger will provide for unified management and development of the subject rail properties.

Upon consummation of the lawful control that is the subject of the exemption in STB Finance Docket No. 33565, this transaction will be one 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

¹ C&NC, L.L.C., Maumee & Western, L.L.C., and Wabash Central, L.L.C. are Class III railroads which own rail lines in the States of Indiana and Ohio.

² The exemption in STB Finance Docket No. 33565, which covers the transaction by which RMW would be authorized to control C&NC, L.L.C., Maumee & Western, L.L.C., and Wabash Central, L.L.C., is scheduled to become effective on March 5, 1998.

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. 33541, 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 A. Wilson, Esq., 1126 Eighth Avenue, Suite 403, Altoona, PA 16602.

Decided: March 3, 1998.

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

Vernon A. Williams,

Secretary.

[FR Doc. 98-6144 Filed 3-9-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33565]

RMW Ventures, L.L.C.—Control Exemption—C&NC, L.L.C., Maumee & Western, L.L.C., and Wabash Central, L.L.C.

RMW Ventures, L.L.C. (RMW), a noncarrier, has filed a notice of exemption to control three carrier corporations: C&NC, L.L.C.; Maumee & Western, L.L.C.; and Wabash Central, L.L.C.¹

RMW was formed to be the parent holding company of the three simultaneously created Class III rail carriers: C&NC, L.L.C., which owns approximately 5.2 miles of rail line in the State of Indiana; Maumee & Western, L.L.C. which owns approximately 51 miles of rail line in the States of Indiana and Ohio; and Wabash Central, L.L.C., which owns approximately 26.4 miles of rail line in the State of Indiana. Common carrier rail service is provided on each line by three operating corporations.²

¹ See *C&NC, L.L.C.—Acquisition Exemption—Indiana Hi Rail Corporation*, STB Finance Docket No. 33476 (STB served Oct. 31, 1997); *Maumee & Western, L.L.C.—Acquisition and Operation Exemption—Norfolk and Western Railway Company*, STB Finance Docket No. 33478 (STB served Oct. 31, 1997); *Wabash Central, L.L.C.—Acquisition and Operation Exemption—Norfolk and Western Railway Company*, STB Finance Docket No. 33479 (STB served Oct. 31, 1997).

² See *C&NC Railroad Corporation—Lease and Operation Exemption—Lines of the Norfolk and Western Railway Company and Indiana Hi Rail Corporation*, STB Finance Docket No. 33475 (STB

Continued

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).³

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).

³ 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.

[FR Doc. 98-6145 Filed 3-9-98; 8:45 am]

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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.

[FR Doc. 98-6142 Filed 3-9-98; 8:45 am]

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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.