

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 33650]

RailAmerica, Inc.—Continuance in Control Exemption—Ventura County Railroad Co.

RailAmerica, Inc. (RailAmerica) has filed a verified notice of exemption to continue in control of Ventura County Railroad Company (VCRR), upon VCRR's becoming a Class III railroad.

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

This transaction is related to STB Finance Docket No. 33649, *Ventura County Railroad Company—Lease and Operation Exemption—Ventura County Railway Company*, wherein VCRR seeks to lease and operate certain rail lines from Ventura County Railway Company (VCRC).¹

RailAmerica currently controls 10 common carrier Class III rail carriers operating in 7 states: the Cascade and Columbia River Railroad Company; the Delaware Valley Railway Company, Inc.; the Huron & Eastern Railway Company, Inc.; Minnesota Northern Railroad, Inc.; the Otter Tail Valley Railroad Company; the Saginaw Valley Railway Company, Inc.; the West Texas & Lubbock Railroad Company, Inc.; the Dakota Rail, Inc.; and the South Central Tennessee Railroad Corp.

RailAmerica states that: (i) The rail lines operated by VCRR do not connect with any railroad in the corporate family; (ii) the transaction is not part of a series of anticipated transactions that would connect VCRR with any railroad in the 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 verified notice contains false or misleading information, the exemption

¹ VCRR and VCRC have entered into an agreement for VCRR to lease the line and purchase certain assets and equipment from VCRC.

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. 33650, 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 Gary Laakso, Esq., RailAmerica, Inc., 301 Yamato Road, Suite 1190A, Boca Raton, FL 33431.

Board decisions and notices are available on our website at "www.stb.dot.gov."

Decided: September 16, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-25335 Filed 9-23-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 33649]

Ventura County Railroad Co.—Lease and Operation Exemption—Ventura County Railway Co.

Ventura County Railroad Company (VCRR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from Ventura County Railway Company (VCRC)¹ and operate approximately 12.09 miles of rail line. The rail lines to be leased include: the mainline from milepost 0.0 (the interchange with Union Pacific Railroad Company) to milepost 5.7 on the docks at Port Hueneme, and three branches: the 1.05-mile Diamond Branch; the 1.71-mile Edison Branch, and the 3.63-mile Patterson Branch in the Port of Hueneme and Oxnard, CA.²

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

The transaction is related to STB Finance Docket No. 33650, *RailAmerica, Inc.—Continuance in Control*

¹ VCRR and VCRC have entered into an agreement for VCRR to lease from VCRC the line and all improvements thereon, all rail ties, spikes, tie plates, rail anchors, bridges, culverts, signaling equipment, and other supporting structures, ballast, and track materials, while excluding some real property and a building, and the purchase of certain assets, all located in the Port of Hueneme, Oxnard, CA.

² VCRR states that its projected revenues will not exceed those that would qualify it as a Class III carrier.

Exemption—Ventura County Railroad Company, wherein RailAmerica, Inc., has concurrently filed a verified notice to continue in control of VCRR, 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 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. 33649, 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 Gary Laakso, Esq., RailAmerica, Inc., 301 Yamato Road, Suite 1190A, Boca Raton, FL 33431.

Board decisions and notices are available on our website at "www.stb.dot.gov."

Decided: September 16, 1998.

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

Vernon A. Williams,
Secretary.

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DEPARTMENT OF THE TREASURY**Treasury Advisory Committee on Commercial Operations of the U.S. Customs Service**

AGENCY: Department Offices, Treasury.

ACTION: Notice of meeting

SUMMARY: This notice announces the date and time for the next meeting and the agenda for consideration by the Committee.

DATES: The next meeting of the Treasury Advisory Committee on Commercial Operations of the U.S. Customs Service will be held on Friday, October 9, 1998 at 9:00 a.m. in Chicago, Illinois. The meeting will be held in the 47th floor boardroom of Sara Lee corporate headquarters at 70 West Madison Street (also known as 3 First National Plaza), Chicago, IL 60602. 70 West Madison Street is between Clark Street and Dearborn Street. Phone: (312) 726-2600.

The duration of the meeting will be approximately three to three and a half hours.

FOR FURTHER INFORMATION CONTACT: Dennis M. O'Connell, Director, Office of Tariff and Trade Affairs, Office of the Under Secretary (Enforcement), Room 4004, Department of the Treasury, 1500