

requiring that applicants for aircraft registration must also submit a bill of sale from the manufacturer of the kit.

Mark D. Lash,

Manager, Civil Aviation Registry.

[FR Doc. 98-25993 Filed 9-28-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33630]

The Burlington Northern and Santa Fe Railway Company and Union Pacific Railroad Company—Acquisition Exemption—Lines Between Dawes, TX, and Avondale, LA

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10502, the Board is granting the joint petition for exemption from the prior approval requirements of 49 U.S.C. 11323-25 filed by The Burlington Northern and Santa Fe Railway Company (BNSF) and Union Pacific Railroad Company (UP) for the acquisition of joint ownership of a line of railroad between Dawes, TX, and Avondale, LA, a distance of approximately 338 miles, subject to employee protective conditions.

DATES: The exemption is effective on October 29, 1998. Petitions to stay must be filed by October 9, 1998. Petitions to reopen must be filed by October 19, 1998.

ADDRESSES: An original and 10 copies of all pleadings referring to the exemption granted in STB Finance Docket No. 33630 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 all pleadings must be served on the parties' representatives: (1) for BNSF, Erika Z. Jones, Mayer, Brown & Platt, 2000 Pennsylvania Avenue, NW, Washington, DC 20006; and (2) For UP, Arvid E. Roach II, Covington & Burling, 1201 Pennsylvania Avenue, NW, P.O. Box 7566, Washington, DC 20044-7566.

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

SUPPLEMENTARY INFORMATION: The ownership of the railroad line between Dawes and Avondale is presently divided between UP and BNSF. UP owns the 147.5-mile segment between Dawes, at milepost 352.8, and Iowa Junction, LA, at milepost 205.3 (the Beaumont Segment), and BNSF owns

the 190.4-mile segment between Iowa Junction and Avondale, at milepost 14.9 (the Avondale Segment), having acquired it pursuant to the UP/SP¹-BNSF Settlement Agreement in Finance Docket No. 32760.² As part of the Settlement Agreement, UP retained trackage rights over the Avondale Segment, including the right to serve all local industries on that line. In addition, BNSF received overhead trackage rights on the Beaumont Segment, with access to all new facilities customers, Lake Charles area customers, and all shippers that would have had their railroad service options reduced from 2 to 1 as a result of the merger.³

On February 12, 1998, BNSF and UP entered into a Term Sheet agreement relating to the two railroads' operations in and around Houston, TX, and along the Gulf Coast between Houston and New Orleans, LA. As one part of that agreement, BNSF and UP agreed to exchange 50% ownership interests in their respective main line segments, including operating sidings used for meeting and passing trains. Under the Term Sheet agreement, BNSF will acquire an undivided 50% interest in UP's Beaumont Segment, and UP will acquire an undivided 50% interest in BNSF's Avondale Segment. Other elements of the Term Sheet agreement include the establishment of a regional dispatching center in Spring, TX, for UP and BNSF lines in and around Houston and between Houston and New Orleans. In addition, BNSF will gain access to all present and future shipper facilities on the line and on former SP branches or spurs that connect to the line, as well as on new branches and spurs added to the line. The ownership exchange will be made subject to the existing trackage rights of the Texas Mexican Railway Company between Houston and Beaumont, as well as Amtrak's service over the entire line. Both BNSF and UP will be permitted to use the Louisiana & Delta Railroad as their agent to provide service over the line.

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call,

¹ "SP" refers to Southern Pacific Transportation Company and its affiliates.

² See *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, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company*, Finance Docket No. 32760, Decision No. 44 (STB served Aug. 12, 1996). BNSF's acquisition of the Avondale Segment was exempted in Finance Docket No. 32760 (Sub-No. 2), which was embraced in Decision No. 44.

³ BNSF's trackage rights were exempted in Finance Docket 32760 (Sub-No. 1), which also was embraced in Decision No. 44.

or pick up in person from: DC News & Data, Inc., 1925 K Street, NW, Suite 210, Washington, DC 20006. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services at (202) 565-1695.]

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Decided: September 22, 1998.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 98-26025 Filed 9-28-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33637]

Missouri & Northern Arkansas Railroad Company, Inc.—Acquisition and Operation Exemption—The Burlington Northern and Santa Fe Railway Company

Missouri & Northern Arkansas Railroad Company, Inc. (MNA), a Class III rail carrier, has filed a notice of exemption under 49 CFR 1150.41 to acquire and operate approximately 9.6 miles of rail line owned by The Burlington Northern and Santa Fe Railway Company. The lines being acquired by MNA are located between: (1) milepost 334.39 and milepost 330.2 in Joplin, MO; and (2) milepost 309.9 and milepost 315.3 in Carthage, MO.

The transaction was scheduled to be consummated on or shortly after September 9, 1998.

If this 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. 33637, 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 Karl Morell Esq., BALL JANIK LLP, Suite 225, 1455 F Street, NW, Washington, DC 20005.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: September 22, 1998.