employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on December 31, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking statements under 49 CFR 1152.29 must be filed by December 11, 1995.3 Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by December 21, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423-2191.

A copy of any petition filed with the Commission should be sent to applicant's representative: Patricia E. Dietrich, 1224 Seventeenth Street NW., Washington, DC 20036.

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

AR has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an Environmental Assessment (EA) by December 6, 1995. Interested persons may obtain a copy of the EA by writing to SEA (room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or other trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: November 27, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings. Vernon A. Williams, *Secretary.* [FR Doc. 95–29340 Filed 11–30–95; 8:45 am] BILLING CODE 7035–01–P

[Finance Docket No. 32801]

Norfolk Southern Railway Company, Central of Georgia Railroad Company and Georgia Southwestern Division, South Carolina Central Railroad, Inc.— Joint Relocation Project Exemption between Columbus and Albany, GA

On October 31, 1995, Norfolk Southern Railway Company (NS), Central of Georgia Railroad Company (CofG) (collectively Norfolk Southern), and Georgia Southwestern Division, South Carolina Central Railroad, Inc. (GSWR), jointly filed a notice of exemption under 49 CFR 1108.2(d)(5) to relocate a line of railroad between Columbus and Albany, GA. The proposed transaction was expected to be consummated on or after November 7, 1995.

GSWR operates a railroad line from Columbus to Bainbridge, GA, which includes a segment between Cusseta to Richland and Cuthbert, GA. GSWR also operates a line between Americus and Richland, GA. The Georgia & Alabama Division of South Carolina Central Railroad (GAD), an affiliate of GSWR, operates a line between Smithville and Cuthbert, GA.

CofG owns, and NS operates, a railroad line from Columbus to Americus and Albany, GA. From Columbus to Ochillee, GA, the CofG line runs parallel to the GSWR line. The CofG line connects with GSWR at Americus and with GAD at Smithville, GA.

Under the joint relocation project, the parties propose the following transactions: (1) Norfolk Southern will grant GSWR overhead trackage rights, including rights of ingress and egress, over its line between its yard at milepost 291.4–S in Columbus and milepost 12.0–O in Ochillee; (2) Norfolk Southern will lease its line between milepost 12.0–O in Ochillee and milepost 61.5–O, the BV&E Junction, near Americus, to GSWR; ¹ (3) Norfolk Southern will grant GSWR overhead trackage rights, with rights of ingress and egress, between milepost 61.5–O,

the BV&E Junction, near Americus and milepost 297.0-J in Albany; (4) GSWR will abandon its line of railroad between milepost SLB23 near Cusseta, Chattahoochee County and milepost 160, SLC746, near Cuthbert, Randolph County, a total of 38.1 miles, all in Chattahoochee, Stewart, and Randolph Counties, GA; and (5) NS and GSWR will construct a new track connection at Ochillee that will permit GSWR trains operating via trackage rights over the CofG line to enter and exit GSWR's line between Columbus and Cusseta. The notice states that service to shippers will not be disrupted and that the proposed construction and abandonment are incidental to this relocation project.

The joint relocation project will relocate GSWR's linehaul railroad operations serving the Columbus area from its existing line between Cusseta and Cuthbert, which has no active customers, to Norfolk Southern's parallel line, which though underutilized is in better physical condition. The project will allow GSWR to liquidate its investment in the Cusseta-Cuthbert segment of its existing line and to continue to provide competitive linehaul service to customers in Columbus. It will also result in more intensive utilization of Norfolk Southern's line and generate trackage rights income for Norfolk Southern.

The Commission 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). The Commission has determined that 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 embraced 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 the use of 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).

¹The Commission will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Commission in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Service Rail Lines*, 5 LC.C.2d 377 (1989). Any request for stay should be filed as soon as possible so that the Commission may take appropriate action before the exemption's effective date.

² See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

³ The Commission will accept a late-filed trail use request so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

¹ The Commission exempted this lease from regulation under 49 U.S.C. 10505 in *Georgia Southwestern Division, South Carolina Central R. Co.—Lease and Operation Exemption—Norfolk Southern Ry. Co. and Central of Georgia Railroad Company,* Finance Docket No. 32738 (ICC served Oct. 5, 1995).