

Summy, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510-2191.

As a condition to use of this exemption, any employees affected by the transaction will be protected pursuant to the conditions set forth in New York Dock Ry.—Control—Brooklyn Eastern Dist., 360 I.C.C. 60 (1979).

Decided: December 15, 1995.

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

Vernon A. Williams,

Secretary.

[FR Doc. 95-31085 Filed 12-21-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32820]

Norfolk Southern Railway Company and Atlantic and East Carolina Railway Company—Lease and Operation Exemption—North Carolina Railroad Company

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 11343-45 the renewal of a lease to allow Norfolk Southern Railway Company and Atlantic and East Carolina Railway Company to continue to lease and operate approximately 317 miles of North Carolina Railroad Company's rail line, between Charlotte and Morehead City, NC, subject to standard employee protective conditions.

DATES: This exemption is effective on December 22, 1995. Petitions to reopen must be filed by January 11, 1996.

ADDRESSES: Send pleadings referring to Finance Docket No. 32820 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423; ¹ (2) Robert J. Cooney, Norfolk Southern Railway, 3 Commercial Place, Norfolk, VA 23510; (3) Scott M. Saylor, North Carolina Railroad Company, 234 Fayetteville Street Mall, Raleigh, NC 27602; and (4) Betty Jo Christian, Steptoe & Johnson, 1330 Connecticut Avenue, N.W., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

¹ Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: December 13, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,

Secretary

[FR Doc. 95-31176 Filed 12-21-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32735]

North Carolina Ports Railway Commission—Acquisition of Control Exemption—Beaufort & Morehead Railway, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 11343-45 the acquisition of control by North Carolina Ports Railway Commission (NCPRC) of Beaufort & Morehead Railway, Inc. (BMRI). NCPRC, a noncarrier, currently controls the Beaufort & Morehead Railroad Company. To avoid unlawful control by NCPRC, BMRI is being held in an independent voting trust pending Commission approval or exemption of this control transaction. The exemption is subject to standard labor protective conditions.

DATES: This exemption will be effective on January 21, 1996. Petitions for stay must be filed by January 2, 1996. Petitions to reopen must be filed by January 11, 1996.

ADDRESSES: Send pleadings referring to Finance Docket No. 32735 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission,¹ 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Petitioner's representative: Fritz R. Kahn, 1100 New York Avenue, N.W.,

¹ Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address.

Suite 750 West, Washington, DC 20005-3934.

FOR FURTHER INFORMATION CONTACT:

Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

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Decided: December 13, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,

Secretary.

[FR Doc. 95-31175 Filed 12-21-95; 8:45 am]

BILLING CODE 7035-01-P

DEPARTMENT OF JUSTICE

Antitrust Division

United States and State of Texas v. Kimberly-Clark Corporation and Scott Paper Company; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. section 16(b)-(h), that a proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the Northern District of Texas, Dallas Division in *United States and State of Texas v. Kimberly-Clark Corporation and Scott Paper Company*, Civil No. 3:95 CV 3055-P, as to both defendants.

On December 12, 1995, the United States and the State of Texas filed a Complaint alleging that the proposed merger of Kimberly-Clark Corporation ("Kimberly-Clark") and Scott Paper Company ("Scott") would violate Section 7 of the Clayton Act, 15 U.S.C. Section 18. The Complaint further alleges that the merger of Kimberly-Clark and Scott would lessen competition substantially and tend to create a monopoly in the sale of consumer facial tissue and baby wipes in the United States. The proposed Final Judgment, filed the same time as the Complaint, requires Kimberly-Clark to divest the Scott baby wipes brands, Baby Fresh and Wash A Bye Baby and