

By the Commission, David M. Konschnik,  
Director, Office of Proceedings.  
Vernon A. Williams,  
Secretary.  
[FR Doc. 95-31319 Filed 12-26-95; 8:45 am]  
BILLING CODE 7035-01-P

**[Finance Docket No. 32795]**

**Plainview Terminal Company;  
Purchase and Operation Exemption;  
Floydada and Plainview Railroad  
Company**

The Plainview Terminal Company (PTC) has filed a notice of exemption to acquire the operating rights of Floydada and Plainview Railroad Company to provide local switching service on an approximately 4.6-mile line of railroad owned by The Atchison, Topeka and Santa Fe Railway Company (ATSF) between Plainview Subdivision milepost 627 plus 1791.7 feet at Plainview, TX (Santa Fe Railway Connection), and Floydada Subdivision milepost 4 plus 3160 feet at Plainview, TX. The proposed transaction was expected to be consummated on October 25, 1995. PTC certified that its projected revenues do not exceed those that would qualify it as a class III carrier.

PTC owns no railroad lines and conducts no rail operations subject to the Commission's jurisdiction. RailAmerica, Inc. (RAI) owns 100% of PTC's stock. RAI owns or controls six other class III shortline railroads.

This transaction is related to a notice of exemption filed in *RailAmerica, Inc.—Continuance in Control Exemption—West Texas and Lubbock Railroad Company, Inc. and Plainview Terminal Company*, Finance Docket No. 32797, for RAI to continue in control of PTC and West Texas and Lubbock Railroad Company (WTLR) and five other class III railroads upon PTC and WTLR becoming class III rail carriers.

Any comments must be filed with the Commission<sup>1</sup> and served on: Robert A. Wimbish, Rea, Cross and Auchinclass, 1920 N. Street, NW, Suite 420, Washington, DC 20036.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: December 19, 1995.

<sup>1</sup> 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.

By the Commission, David M. Konschnik,  
Director, Office of Proceedings.  
Vernon A. Williams, Secretary.  
[FR Doc. 95-31321 Filed 12-26-95; 8:45 am]  
BILLING CODE 7035-01-P

**[Finance Docket No. 32797]**

**RailAmerica, Inc.; Continuance in  
Control Exemption; West Texas and  
Lubbock Railroad Company, Inc. and  
Plainview Terminal Company**

RailAmerica has filed a notice of exemption to continue in control of the West Texas and Lubbock Railroad Company, Inc. (WTLR) and the Plainview Terminal Company (PTC) upon WTLR and PTC becoming active class III shortline rail carriers.

WTLR has filed a notice of exemption in *West Texas and Lubbock Railroad Company, Inc.—Purchase and Operation Exemption—Seagraves, Whiteface and Lubbock Railroad Company*, Finance Docket No. 32796, to acquire and operate 113.0 route miles of interconnected rail lines from the Seagraves, Whiteface and Lubbock Railroad Company (SWGR). WTLR will also obtain ancillary overhead trackage rights held by SWGR over certain lines and yard tracks of The Atchison, Topeka and Santa Fe Railway Company (ATSF) at Lubbock Subdivision and in ATSF's Lubbock yards.

PTC has filed a notice of exemption in *Plainview Terminal Company—Purchase and Operation Exemption—Floydada and Plainview Railroad Company*, Finance Docket No. 32795, to acquire operating rights over a 4.6 mile line of railroad at Plainview, TX.

RAI controls five other carriers: The Delaware Valley Railway Company, Inc. (DVR), the Huron and Eastern Railway Company, Inc. (HESR) the Saginaw Valley Railway Company, Inc. (SGVR), the South Central Tennessee Railroad Company (SCTR), and Dakota Rail, Inc. (DRI).

RAI certifies that: (1) The WTLR and PTC do not interconnect, nor do they interconnect with any other rail carrier it controls; (2) the continuance in control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (3) the transaction does not involve a class I carrier. The transaction, therefore, is exempt from the prior approval requirements of 49 U.S.C. 11343. See 49 CFR 1180.2(d)(2).

As a condition to use of this exemption, any employees affected by the transaction will be protected by the conditions set forth in *New York Dock*

*Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Pleadings must be filed with the Commission<sup>1</sup> and served on: Robert A. Wimbish, Rea, Cross & Auchinclass, 1920 N Street, NW, Suite 420, Washington, D.C. 20036.

Decided: December 19, 1995.

By the Commission, David M. Konschnik,  
Director, Office of Proceedings.  
Vernon A. Williams,  
Secretary.

[FR Doc. 95-31320 Filed 12-26-95; 8:45 am]

BILLING CODE 7035-01-P

**[Finance Docket No. 32760]**

**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**

**AGENCY:** Interstate Commerce  
Commission.

**ACTION:** Decision No. 9; Notice of  
Acceptance of Application.<sup>1</sup>

<sup>1</sup> 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.

<sup>1</sup> This designation embraces the following: (1) Finance Docket No. 32760 (Sub-No. 1), *Union Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company—Trackage Rights Exemption—Burlington Northern Railroad Company and The Atchison, Topeka and Santa Fe Railway Company*; (2) Finance Docket No. 32760 (Sub-No. 2), *Burlington Northern Railroad Company and The Atchison, Topeka and Santa Fe Railway Company—Petition for Exemption—Acquisition and Operation of Trackage in California, Texas, and Louisiana*; (3) Finance Docket No. 32760 (Sub-No. 3), *Union Pacific Corporation, Union Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company—Control Exemption—The Alton & Southern Railway Company*; (4) Finance Docket No. 32760 (Sub-No. 4), *Union Pacific Corporation, Union Pacific Railroad Company, Missouri Pacific Railroad Company, Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company—Control Exemption—Central California Traction Company*; (5) Finance Docket No. 32760 (Sub-No. 5), *Union Pacific Corporation,*