

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 33496]

**Delphos Terminal Company, Inc.—  
Acquisition and Operation  
Exemption—Indiana Hi-Rail  
Corporation**

Delphos Terminal Company, Inc. (DTC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 3.8 miles of rail line owned and operated by R Franklin Unger, Trustee of the Indiana Hi-Rail Corporation (Hi-Rail). The rail line to be acquired is located between approximate milepost 73.7 (Valuation Marker 3891 + 00.9), at or near Delphos, OH, and approximate milepost 77.5 (Valuation Marker 4090 + 00), at or near Landeck, OH, together with the interchange trackage connecting such line and Consolidated Rail Corporation (Conrail), at or near Delphos.<sup>1</sup>

The transaction was scheduled to be consummated after the October 24, 1997 effective date of the exemption. The transaction is related to the Hi-Rail Trustee's filing of an Amended Plan of Reorganization with the Board in STB Finance Docket No. 33491 on October 3, 1997.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 33496, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Andrew P. Goldstein, Esq., McCarthy, Sweeney & Harkaway, P.C., 1750 Pennsylvania Avenue, N.W., Suite 1105, Washington, DC 20006.

Decided: October 22, 1997.

<sup>1</sup> DTC indicates that it will contract with another entity, at the time of filing intended to be Conrail, to perform rail services over the line as a contract operator.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 97-28882 Filed 10-30-97; 8:45 am]  
BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 33477]

**Fulton County, L.L.C.—Acquisition and  
Operation Exemption—Norfolk and  
Western Railway Company**

Fulton County, L.L.C. (FC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from the Norfolk and Western Railway Company and to operate the Rochester Line (Line),<sup>1</sup> consisting of approximately 13 miles of rail line, from Rochester, IN (milepost I.—95.6), to Argos, IN (milepost I.—108.6). In addition, FC will acquire incidental overhead trackage rights from milepost I.—108.6 to the Argos Yard, a distance of 1.1 miles.

The transaction was scheduled to be consummated on or after the October 15, 1997 effective date of the exemption. The transaction is related to the Hi Rail Trustee's filing of an Amended Plan of Reorganization with the Board in STB Finance Docket No. 33491 on October 3, 1997.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 33477, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Richard R. Wilson, Esq., 1126 Eighth Avenue, Suite 403, Altoona, PA 16002.

Decided: October 21, 1997.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 97-28788 Filed 10-30-97; 8:45 am]  
BILLING CODE 4915-00-P

<sup>1</sup> R. Franklin Unger, Trustee of the Indiana Hi Rail Corporation currently leases and operates the Line.

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 33478]

**Maumee & Western, L.L.C.—  
Acquisition and Operation  
Exemption—Norfolk and Western  
Railway Company**

Maumee & Western, L.L.C. (MAW), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from the Norfolk and Western Railway Company (NW) and to operate the Maumee Line (Line),<sup>1</sup> consisting of approximately 51 miles of rail line, from Liberty Center, OH (milepost TN-28.0), to Woodburn, IN (milepost 79.0). In addition, MAW will also grant NW limited incidental local access trackage rights over MAW's line between milepost TN-77.8 and milepost TN-79.0.

The transaction was scheduled to be consummated on or after the October 15, 1997 effective date of the exemption. The transaction is related to the Hi Rail Trustee's filing of an Amended Plan of Reorganization with the Board in STB Finance Docket No. 33491 on October 3, 1997.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 33478, 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 Richard R. Wilson, Esq., 1126 Eighth Avenue, Suite 403, Altoona, PA 16002.

Decided: October 21, 1997.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 97-28791 Filed 10-30-97; 8:45 am]  
BILLING CODE 4915-00-P

<sup>1</sup> R. Franklin Unger, Trustee of the Indiana Hi Rail Corporation currently leases and operates the Line.