

will be protected by the conditions set forth in *New York Dock Railway—Control—Brooklyn District Eastern Terminal*, 360 I.C.C. 60 (1979).

If the 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 will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than December 13, 2013 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35784, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Louis E. Gitomer, Esq., Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

Board decisions and notices are available on our Web site at “[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).”

Decided: December 3, 2013.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2013-29130 Filed 12-5-13; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35785]

#### **The Three Rivers Railway Company—Corporate Family Merger Exemption—Mahoning State Line Railroad Company**

The Three Rivers Railway Company (TRRC) and Mahoning State Line Railroad Company (MSLR) (collectively, applicants) have filed a verified notice of exemption under 49 CFR 1180.2(d)(3) for a corporate family transaction.

According to applicants, TRRC is a Class III railroad and a subsidiary of CSX Transportation, Inc. (CSXT).<sup>1</sup> TRRC directly controls and operates MSLR, a Class III carrier and wholly owned subsidiary of TRRC.

Under the proposed transaction, MSLR will be merged with and into TRRC. Applicants state that the purpose of the corporate transaction is to simplify the corporate structure and reduce overhead costs, and that the

transaction will reduce corporate overhead and duplication by eliminating one corporation while retaining the same assets to serve customers.

Unless stayed, the exemption will be effective on December 21, 2013 (30 days after the verified notice was filed). Applicants state that TRRC intends to merge MSLR into TRRC on or after that date.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). Applicants state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Because CSXT, which controls TRRC directly and MSLR indirectly, is a Class I carrier, any employees adversely affected by this transaction will, as a condition to the use of this exemption, be protected by the conditions set forth in *New York Dock Railway—Control—Brooklyn District Eastern Terminal*, 360 I.C.C. 60 (1979).<sup>2</sup>

If the 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 will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than December 13, 2013 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35785, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Louis E. Gitomer, Esq., Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: December 3, 2013.

<sup>2</sup> See *Genessee & Wyo., Inc.—Corporate Family Transaction Exemption*, FD 35764 (STB served Sept. 13, 2013) (making a corporate family transaction subject to labor protection that applies to transactions involving a Class II carrier because the corporate family included a Class II carrier).

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Raina S. White,**  
Clearance Clerk.

[FR Doc. 2013-29189 Filed 12-5-13; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 1068 (Sub-No. 2X); Docket No. AB 1070 (Sub-No. 2X)]

#### **Missouri Central Railroad Company—Discontinuance of Trackage Rights Exemption—in Cass and Jackson Counties, MO; Central Midland Railway Company—Discontinuance of Trackage Rights Exemption—in Cass and Jackson Counties, MO**

Missouri Central Railroad Company (MCRR) and Central Midland Railway Company (CMR) jointly filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue trackage rights over a rail line owned by the Union Pacific Railroad Company (UP) between Pleasant Hill, Mo. (milepost 263.5), and Leeds Junction, Mo. (milepost 288.3) (the Line). The Line traverses United States Postal Service Zip Codes 64080, 64034, 64082, 64081, 64138, 64133, and 64129. This notice replaces both a Notice of Exemption filed by MCRR on October 17, 2013, and an Amended Notice of Exemption filed by MCRR on October 30, 2013, in Docket No. AB 1068 (Sub-No. 2X).<sup>1</sup>

MCRR and CMR have certified that: (1) MCRR and CMR have not moved any local traffic over the Line for at least two years; (2) they have not moved any overhead traffic over the Line for at least two years, and that overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending before the Surface Transportation Board or before any U.S. District Court or has been decided in

<sup>1</sup> MCRR obtained trackage rights over the Line as part of the transaction involved in *Missouri Central Railroad—Acquisition & Operation Exemption—Lines of Union Pacific Railroad*, FD 33508 (STB served Jan. 27, 1998). CMR obtained rights to the Line when it filed a notice of operation exemption in *Central Midland Railway—Operation Exemption—Lines of Missouri Central Railroad*, FD 33988 (STB served Jan. 29, 2001). Neither MCRR nor CMR has ever utilized these trackage rights. Upon discontinuance of service by MCRR and CMR over the Line, UP will continue to be a common carrier authorized to operate on the Line.

<sup>1</sup> See *CSX Transp., Inc.—Continuance in Control Exemption—The Three Rivers Ry.*, FD 32056 (ICC served Oct. 23, 1992).