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SERVICE DATE - OCTOBER 31, 1997

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33476]

C & NC, L.L.C.—Acquisition Exemption—Indiana Hi Rail Corporation

C & NC, L.L.C. (CLLC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire a line of railroad owned and operated by R. Franklin Unger, Trustee of the Indiana Hi Rail Corporation (Hi Rail) from Connersville, IN (milepost 0.0), to Beesons, IN (milepost 5.2), a distance of approximately 5.2 route miles. The line will be operated by C&NC Railroad Corporation under a lease and operating agreement with CLLC, which is the subject of a separate lease and operation exemption in STB Finance Docket No. 33475, C&NC Railroad Corporation—Lease and Operation Exemption—Lines of the Norfolk and Western Railway Company and Indiana Hi Rail Corporation.

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. 33476, 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