National Highway Traffic Safety Administration

[Docket No. 96–032–GR]

Crash Avoidance Implementation Plan

AGENCY: National Highway Traffic Safety Administration, DOT.

ACTION: Notice and request for comment.

SUMMARY: The National Highway Traffic Safety Administration (NHTSA) has prepared a Draft Crash Avoidance Implementation Plan (CAI Plan), which sets forth agency programs and activities in the area of motor vehicle crash avoidance implementation over the next three to five years. For each project, the Draft CAI Plan describes the problem, possible anticipated action, and milestones.

DATES: Comments are due not later than June 3, 1996.

ADDRESSES: All comments should be mailed to the Docket Section, National Highway Traffic Safety Administration, Room 5109, 400 7th Street SW., Washington, DC 20590. Please refer to the docket number at the top of this notice when submitting written comments.

FOR FURTHER INFORMATION CONTACT: For further information and to obtain a copy of the Draft CAI Plan, contact Michael Pyne, Office of Crash Avoidance Standards, NHTSA, 400 7th Street SW., Washington, DC 20590, Telephone 202–366–4931, Fax 202–366–4329. Copies of the Draft CAI Plan are also available on the Internet (NHTSA Home Page).

SUPPLEMENTARY INFORMATION: The National Highway Traffic Safety Administration (NHTSA) has developed a Draft Crash Avoidance Implementation Plan (CAI Plan), which sets forth agency plans and goals toward reducing the frequency and severity of motor vehicle crashes. The plan reflects the agency's Crash Avoidance Implementation Program, which is part of the agency's overall effort to develop, promote, and implement effective educational, engineering, and enforcement programs directed at ending preventable tragedies and reducing economic costs associated with on-road vehicle use and travel. The CAI Plan is intended to guide the agency over the next three to five years in the area of motor vehicle crash avoidance safety implementation; and was developed by NHTSA's Office of Safety Performance Standards.

The Draft CAI Plan sets forth for each project a description of the problem, possible anticipated actions, and agency milestones. The three prong approach focuses on (1) new vehicles, (2) in-service vehicles, and (3) driver/vehicle interface. In keeping with President Clinton's 1995 regulatory reform initiative, the Draft CAI Plan seeks both regulatory and non-regulatory solutions to potential motor vehicle crash avoidance safety problems. A major goal throughout the Draft CAI Plan approach is to achieve enhanced communications with NHTSA customers and partners. Through outreach meetings, informal discussions, joint activities, consensual rulemaking, and other means, the agency hopes to improve lines of communication through which customers, partners, and other interested parties will share information and help the agency implement solutions to potential crash avoidance safety problems.

Elements for new and in-service vehicles addressed by the Draft CAI Plan include systems performance and design, vehicle components, and aftermarket equipment. These are addressed through mandatory and optional standards, support for voluntary industry guidelines, co-operative efforts with industry, provision of model guidelines for States and localities to use, and consumer information on performance of vehicle systems and components.

Driver/vehicle interface elements addressed by the Draft CAI Plan include educating and informing drivers on behavior to safely accommodate vehicle performance characteristics and new technologies; providing consumer information on equipment characteristics and system performance so that vehicle users can make informed safety choices; and addressing needs of special groups such as older drivers, novices, fatigued drivers, and drivers with disabilities. Approaches for addressing these include vehicle regulation; labeling requirements; consumer advisories and warnings; education and information through national, State, and local safety organizations both public and private; and working with vehicle and equipment manufacturers, dealers, insurers, and interested citizens.

NHTSA requests written comments, suggestions, and recommendations on the substance and direction of the Draft CAI Plan in order to better achieve improved crash avoidance safety. Comments are also requested on issues and approaches for improving safety which may not be addressed by the Draft CAI Plan but have the potential for providing effective solutions to crash avoidance safety problems. The agency is particularly interested in comments identifying opportunities for collaborative efforts with its partners and customers. Comments should include supporting data wherever possible, along with information on the costs and benefits of a particular recommended approach. In addition to written comments, the agency requests that commenters submit copies of supporting documents, analyses, or referenced citations wherever appropriate.

Once all comments are received and considered, the agency will develop a final CAI Plan. The Plan is a dynamic document, and program actions, directions, and priorities are expected to be modified based on safety data, research results, technological advances, and other information developed by NHTSA or provided by the agency's partners and customers.

NHTSA invites written comments from all interested persons. It is requested but not required that 10 copies be submitted. The agency requests that comments not exceed 15 pages in length (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to offer their primary comments in a concise manner.

All comments received before the close of business on the comment closing date listed above will be considered and will be available for examination in the docket room at the above address. To the extent possible, comments filed after the closing date will be considered. The agency will continue to file relevant information as it becomes available.

Issued: April 18, 1996.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 96–9162 Filed 4–11–96; 8:45 am]

BILLING CODE 4910–59–P

Surface Transportation Board

[Finance Docket No. 32760 (Sub-No. 10)]

Responsive Application—Capital Metropolitan Transportation Authority

[Finance Docket No. 32760 (Sub-No. 11)]

Responsive Application—Montana Rail Link, Inc.

[Finance Docket No. 32760 (Sub-No. 12)]

Responsive Application—Entergy Services, Inc., Arkansas Power & Light Company, and Gulf States Utility Company

[Finance Docket No. 32760 (Sub-No. 13)]

Responsive Application—The Texas Mexican Railway Company

[Finance Docket No. 32760 (Sub-No. 14)]

Application for Terminal Trackage Rights Over Lines of the Houston Belt & Terminal Railway Company—The Texas Mexican Railway Company

[Finance Docket No. 32760 (Sub-No. 15)]

Responsive Application—Cen-Tex Rail Link, Ltd./South Orient Railroad Company, Ltd.

[Finance Docket No. 32760 (Sub-No. 16)]

Responsive Application—Wisconsin Electric Power Company

[Finance Docket No. 32760 (Sub-No. 17)]

Responsive Application—Magma Copper Company, The Magma Arizona Railroad Company, and the San Manuel Arizona Railroad Company

AGENCY: Surface Transportation Board.

ACTION: Decision No. 29; notice of acceptance of responsive applications.

SUMMARY: The Board is accepting for consideration the responsive applications filed by Capital Metropolitan Transportation Authority (CMTA) in Finance Docket No. 32760 (Sub-No. 10); Montana Rail Link, Inc. (MRL) in Finance Docket No. 32760 (Sub-No. 11); Entergy Services, Inc. (ESI), Arkansas Power & Light Co. (AP&L), and Gulf States Utilities Co. (GSU) (collectively, Entergy) in Finance Docket No. 32760 (Sub-No. 12); The Texas Mexican Railway Company (Tex Mex) in Finance Docket No. 32760 (Sub-No. 13), including Tex Mex's application for terminal trackage rights over lines of the Houston Belt & Terminal Railway Co. in Finance Docket No. 32760 (Sub-No. 14); Wisconsin Electric Power Company (WEPCO) in Finance Docket No. 32760 (Sub-No. 16); and Magma Copper Company, The Magma Arizona Railroad Company (MAA), and the San Manuel Arizona Railroad Company (SMA) (collectively, Magma) in Finance Docket No. 32760 (Sub-No. 17). The Board is not accepting for consideration the responsive application filed by Cen-Tex Rail Link, Ltd./South Orient Railroad Company, Ltd. (Cen-Tex/South Orient) in Finance Docket No. 32760 (Sub-No. 15).[1] These responsive applications are responsive to the primary application filed November 30, 1995, by Union Pacific Corporation (UPC), Union Pacific Railroad Company (UPRR), Missouri Pacific Railroad Company (MPRR), Southern Pacific Rail Corporation (SPR), Southern Pacific Transportation Company (SPT), St. Louis Southwestern Railway Company (SSW), SPCSL Corp. (SPCSL), and The Denver and Rio Grande Western Railroad Company (DRGW).[2]

DATES: The effective date of this decision is April 12, 1996. Comments regarding any responsive application must be filed with the Board by April 29, 1996. Rebuttal in support of these responsive applications must be filed with the Board by May 14, 1996. Briefs (not to exceed 50 pages) must be filed with the Board by June 3, 1996.

ADDRESSES: An original and 20 copies of all comments referring to Finance Docket No. 32760 (Sub-No. 10), Finance Docket No. 32760 (Sub-No. 11), Finance Docket No. 32760 (Sub-No. 12), Finance Docket No. 32760 (Sub-No. 13), Finance Docket No. 32760 (Sub-No. 14), Finance Docket No. 32760 (Sub-No. 16), and/or Finance Docket No. 32760 (Sub-No. 17), as appropriate, must be filed with the Office of the Secretary, Case Control Branch (Attn: Finance Docket No. 32760), Surface Transportation Board, 1201 Constitution Avenue NW., Washington, D.C. 20423. Parties are encouraged also to submit all comments on a 3.5-inch diskette in WordPerfect 5.1 format.

In addition, one copy of all comments filed in these proceedings must be served, by first class mail, on: the Secretary of Transportation; the Attorney General of the United States; Administrative Law Judge Jerome Nelson, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426; Arvid E. Roach II, Esq., Covington & Burling, 1201 Pennsylvania Avenue NW., P.O. Box 7566, Washington, D.C. 20044–7566 (representing primary applicants UPC, UPRR, and MPRR); and Paul A. Cunningham, Esq., Harkins Cunningham, 1300 Nineteenth Street NW., Washington, D.C. 20036 (representing primary applicants SPR, SPT, SSW, SPCSL, and DRGW).

Also, one copy of all comments filed in these proceedings must be served, by first class mail on the appropriate responsive applicant's representative: Albert B. Krachman, Esq., Bracewell & Patterson, L.L.P., 2000 K Street NW., Suite 500, Washington, D.C. 20006 (representing CMTA); Mark H. Sidman, Esq., Weiner, Brodsky, Sidman & Kider, P.C., 1350 New York Avenue NW., Suite 800, Washington, D.C. 20005 (representing MRL); Christopher A. Mills, Esq., Slover & Loftus, 1224 Seventeenth Street, NW., Washington, D.C. 20036 (representing Entergy); Richard A. Allen, Esq., Zuckert, Scoutt & Rasenberger, 888 17th Street, NW., Suite 600, Washington, D.C. 20006–3939 (representing Tex Mex); Thomas F. McFarland, Jr., Esq., McFarland & Herman, 20 North Wacker Drive, Suite 1330, Chicago, IL 60606–2902 (representing WEPCO); and Fritz R. Kahn, Esq., Fritz R. Kahn, P.C., Suite 750 West, 1100 New York Avenue, NW., Washington, D.C. 20005–3934 (representing Magma).

Furthermore, one copy of all documents in these proceedings must be served, by first class mail, on all other persons designated parties of record [POR] on the Board's service list in Finance Docket No. 32760. See Finance Docket No. 32760, Decision No. 15 (served February 16, 1996), as modified by Finance Docket No. 32760, Decision No. 17 (served March 7, 1996), and Decision No. 26 (served March 25, 1996).

FOR FURTHER INFORMATION CONTACT: Julia Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: In the primary application filed with the Interstate Commerce Commission (ICC) on November 30, 1995, primary applicants UPC, UPRR, MPRR, SPR,

[1] The Alameda Historic Complex (Alameda) filed a pleading on March 29, 1996, titled as a responsive application for trackage rights and other specified conditions. Because Alameda did not file a description of an anticipated responsive application by the January 29, 1996 deadline, and because it has not complied with the procedures for filing applications found at 49 CFR 1180, we will treat Alameda's pleading as comments on the primary application.

LSBC Holdings, Inc. (LSBC), which filed a timely notice and description of inconsistent/responsive application, filed its LSBC–3 pleading on March 29, 1996, titled as a proposed inconsistent and responsive application. LSBC explains that, at this time, it is ''unable to file a Responsive Application worthy of review by the STB.'' We will treat LSBC's pleading as comments on the primary application.

[2] UPRR and MPRR are referred to collectively as UP. SPT, SSW, SPCSL, and DRGW are referred to collectively as SP.

SPT, SSW, SPCSL, and DRGW seek approval and authorization under 49 U.S.C. 11343–45 (as effective prior to January 1, 1996) for: (1) the acquisition of control of SPR by UP Acquisition Corporation (Acquisition), an indirect wholly owned subsidiary of UPC; (2) the merger of SPR into UPRR; and (3) the resulting common control of UP and SP by UPC. In Decision No. 9 (served December 27, 1995, and published that same day in the Federal Register at 60 FR 66988), the ICC accepted the primary application for consideration, and directed that all responsive applications be filed by March 29, 1996.

The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the ICC but transferred certain of its functions and certain proceedings then pending before it to the Board. We issue this decision in accordance with the ICCTA section 204(b)(1) transition rule, which provides that proceedings pending before the ICC at the time of its termination that involve functions transferred to the Board shall be decided by the Board under the law in effect prior to January 1, 1996. The Finance Docket No. 32760 proceeding, which was pending with the ICC at the time of its termination, involves functions transferred to the Board under 49 U.S.C. 11323–26 (as effective on and after January 1, 1996).

In Finance Docket No. 32760 (Sub-No. 10), CMTA seeks, on behalf of an unnamed rail carrier unaffiliated with applicants, trackage rights over what will be, if the Board approves the proposed merger, the UP/SP track between McNeil and Kerr, TX, with interchange rights with the Burlington Northern Railroad Company and The Atchison, Topeka, and Santa Fe Railway Company (collectively, BN/Santa Fe) at either McNeil or Kerr. CMTA further requests that we direct applicants to cooperate with CMTA to arrive at a mutually acceptable accommodation of CMTA's planned passenger rail service through the McNeil interchange, and that we retain jurisdiction over this issue in the event CMTA and the merged railroad are unable to reach agreement.

In Finance Docket No. 32760 (Sub-No. 11), MRL seeks authority to acquire rail lines, incidental trackage rights, interchange access, and proportional ratemaking authority to SP stations in California and Oregon to mitigate alleged loss of competition in the central route from Northern California to Kansas City, MO, resulting from the proposed merger.[3]

In Finance Docket No. 32760 (Sub-No. 12), Entergy seeks the following trackage rights: (1) Overhead trackage rights on behalf of BN/Santa Fe or some other rail carrier unaffiliated with applicants over SSW's lines between Pine Bluff, AR, and Memphis, TN, with the right to transport loaded and empty trains of coal to and from AP&L's coal-fired, electric generating facilities known as the White Bluff Steam Electric Station near Redfield, AR (White Bluff) upon construction of a spur build-out from the White Bluff power plant to a connection with SP at Pine Bluff; and (2) overhead trackage rights on behalf of BN/Santa Fe or some other rail carrier unaffiliated with applicants over SP's line between Beaumont, TX, and a point of connection with the Southern Gulf Railway Company (SGR) near Lake Charles, LA, with the right to transport loaded and empty trains of coal to and from GSU's coal-fired, electric generating facilities known as the Roy S. Nelson Generating Station near Mossville, LA, upon completion of construction of SGR's rail line between the connection with SP and the Nelson power plant.

In Finance Docket No. 32760 (Sub-No. 13), Tex Mex seeks trackage rights over lines from Robstown and Corpus Christi, TX, to Houston, TX, to a connection with the Kansas City Southern Railway Company (KCS) at Beaumont, TX. Tex Mex seeks rights over those lines to permit it to carry overhead traffic and to serve all local shippers currently capable of receiving service from both UP and SP, directly or through reciprocal switching, with full rights to interchange traffic with UP, SP, and any other railroad at any interchange point on such lines.[4]

[3] MRL seeks to have a to-be-formed entity (the ''Acquisition Company'') purchase the following lines: (1) the UP lines in California from Stockton, through Sacramento to Marysville, along with the contiguous branch lines to Read and Sutter, north through Keddie to Flanigan, NV, including the UP branch line from Reno Junction south to Reno, NV, and the branch south from Hawley to Loyalton, CA; (2) the SP line running north from Flanigan to Alturas, CA, then northwest to Klamath Falls, OR (the ''Modoc Line''); (3) the line from Flanigan east via the UP route to Winnemucca, NV, then east to Wells, NV, and Ogden, UT, via the SP route; (4) from Ogden, all of the DRGW lines, and their contiguous branches to Salt Lake City, UT, and down to Provo, UT, and east on the DRGW to Denver, CO, including the branches to Potash, Sunnyside, Clear Creek, Copperton, and Garfield, UT; (5) all of the DRGW lines in Colorado, from the Utah border east to Dotsero, including the branches to Montrose, Oliver, and Woody Creek, and at Dotsero, the lines northeast to Denver and southeast to Pueblo (the ''Tennessee Pass''), including branches to Craig and Energy Fuels via Steamboat Springs; (6) the DRGW line between Denver and Pueblo, extending south of Pueblo to Antonito, CO, including the branch line to Creede, CO, and the DRGW's rights, if any, to Trinidad, CO; (7) east of Pueblo, the rights and ownership of the former MPRR line between Pueblo and Herington, KS; (8) SP's ownership in and access to the Kansas City Terminal; and (9) the UP line from Silver Bow, MT, to Pocatello, ID, and the contiguous branches to Arco, Aberdeen, and Gay, ID.

MRL seeks approval for the Acquisition Company to acquire all the railroad rolling stock and equipment owned and leased by UP/SP, including locomotives, cars, cabooses and equipment, roadway maintenance equipment and other vehicles currently used to perform service on the subject lines.

MRL seeks approval for the Acquisition Company to acquire trackage rights over the following lines: (1) overhead rights on the UP line from Pocatello to Ogden; (2) overhead rights on the UP from Lindsborg, KS, to Salina, KS, and from Salina to Solomon, KS, with access to a direct interchange with Kyle Railways at Solomon; (3) local trackage rights on the SSW between Herington, KS, and Topeka, KS; (4) overhead trackage rights on UP between Topeka and Kansas City; (5) SP's rights on BN/Santa Fe between Topeka and Kansas City.

MRL seeks, on behalf of the Acquisition Company, full access to interchange with connecting carriers, including shortlines, at all common points. Finally, MRL seeks for Acquisition Company the right to quote rates to and from SP stations in California and Oregon for traffic moving, respectively, via Stockton, CA, and Klamath Falls, OR.

[4] Tex Mex requests trackage rights over the following main lines: (1) the UP line between Robstown and Placedo, TX; (2) the UP line between Corpus Christi and Odem, TX, via Savage Lane to Viola Yard on the UP; (3) the SP line from Placedo to Victoria, TX; (4) the SP line between Victoria and Flatonia, TX; (5) the SP line between Flatonia and West Junction, TX; (6) in the alternative, the UP line from Gulf Coast Junction, TX, through Settegast Junction, TX, to Amelia, TX (UP main line option), or the SP line from Tower 87 to Amelia, TX (SP main line option); and (7) the joint UP/SP line from Amelia to Beaumont, TX, and the connection with KCS at the Neches River Draw Bridge in Beaumont.

Tex Mex requests trackage rights in Houston over the following SP lines: (1) the line from West Junction through Bellaire Junction to Eureka at milepost 5.37 (Chaney Junction, TX); (2) the SP line from milepost 5.37 to milepost 360.7 near Tower 26 via the Houston Passenger station; (3) the SP line from milepost 5.37 to milepost 360.7 near Tower 26 via the Hardy Street yard; (4) if the UP main line option is used, the SP line from milepost 360.7 near Tower 26 to the connection with the Houston Belt & Terminal Railway Company (HB&T) at Quitman Street near milepost 1.5; (5) if the SP main line option is used, the SP line from Tower 26 through Tower 87 to the SP main line to Amelia; and (6) the SP line from West Junction to the connection with the Port Terminal Railway Association (PTRA) at Katy Neck, TX, by way of Pierce Junction.

Tex Mex requests the right to use the following yard and other terminal facilities of SP, UP, and HB&T: (1) SP's Glidden (TX) Yard; (2) interchanges with PTRA at the North Yard, Manchester Yard, and Pasadena Yard in Houston, TX; and (3) interchanges with HB&T at HB&T's New South Yard.

Tex Mex will seek the right to construct two improved connections, at Robstown and Flatonia.

Tex Mex requests the Board to condition any approval of the merger on granting Tex Mex the trackage rights at the same compensation provided for in the settlement agreement applicants reached with BN/Santa Fe, except that Tex Mex requests that the compensation level for its trackage rights operations be subject to quarterly adjustments for changes in railroad productivity.

In Finance Docket No. 32760 (Sub-No. 14), Tex Mex seeks certain terminal trackage rights, contingent upon the grant of the conditions sought in Finance Docket No. 32760 (Sub-No. 13). It requests an order pursuant to 49 U.S.C. 11103 permitting Tex Mex to use the following segments of HB&T terminal trackage in Houston, TX: (1) the HB&T line from the Quitman Street connection with SP to the HB&T's connection with UP at Gulf Coast Junction; and (2) the HB&T line from its connection with the SP at T. & N.O. Junction (Tower 81) to HB&T's connection with UP at Settegast Junction.

In Finance Docket No. 32760 (Sub-No. 15), Cen-Tex/South Orient seeks trackage rights in Texas, and the elimination of minimum payments and passenger restrictions on trackage rights over SP track from Alpine Junction, TX, to Paisano Junction, TX.[5]

In Finance Docket No. 32760 (Sub-No. 16), WEPCO seeks a grant of overhead trackage rights on behalf of Wisconsin Central (WC) or Canadian Pacific-Soo Line (CP/Soo) over the following UP rail lines: (1) between Chicago, IL, Milwaukee, WI, and Cleveland, WI, on the one hand, and on the other, WEPCO's Oak Creek Power Plant at Oak Creek, WI; (2) between the Oak Creek Power Plant and Cudahy Shop, Inc., a railcar repair facility located at Cudahy, WI; and (3) in the terminal areas of Chicago, IL, and Milwaukee, WI, as may be necessary or desirable to implement the operations described above.

In Finance Docket No. 32760 (Sub-No. 17), Magma, and its wholly owned subsidiaries, MAA and SMA, seek overhead trackage rights over the lines operated by SP between Magma, AZ, and Phoenix and Nogales, AZ, for the MAA, and between Hayden, AZ (via the Copper Basin Railway Company (CBRY), a switching carrier for the SP operating between Hayden and Magma), and Phoenix and Nogales for the SMA.

The responsive applications filed by CMTA, MRL, Entergy, Tex Mex, WEPCO, and Magma substantially comply with the applicable regulations, and therefore are being accepted for consideration by the Board.

The responsive application filed by Cen-Tex/South Orient does not comply with the applicable regulations. The application contains virtually none of the information required by 49 CFR 1180 for responsive applications, such as supporting information (49 CFR 1180.6), market analyses (49 CFR 1180.7), operational data (49 CFR 1180.8), and financial information (49 CFR 1180.9).[6] Because Cen-Tex/South Orient's responsive application is incomplete, it is being rejected by the Board.

The responsive applications are available for inspection in the Public Docket Room at the offices of the Board in Washington, DC. The responsive application filed by any particular responsive applicant may also be obtained upon request from that applicant's representative named above.

The responsive applications in Finance Docket No. 32760 (Sub-Nos. 10, 11, 12, 13, 14, 16, and 17) are consolidated for disposition with the primary application in Finance Docket No. 32760 (and all embraced proceedings). Service of an initial decision will be waived, and determination of the merits of these responsive applications will be made in the first instance by the Board itself. *See* 49 U.S.C. 11345(f) (as effective prior to January 1, 1996).

Interested persons may participate formally by submitting written comments regarding any or all of these responsive applications, subject to the filing and service requirements specified above. Such comments (referred to as ''response[s]'' in the procedural schedule, see 60 FR at 66994) should be filed with the Board by April 29, 1996. Comments should include the following: the commenter's position in support of or in opposition to the transaction proposed in the responsive application; any and all evidence, including verified statements, in support of or in opposition to such proposed transaction; and specific reasons why approval of such proposed transaction would or would not be in the public interest.

Because the responsive applications accepted for consideration in this decision contain proposed conditions to approval of the primary application in Finance Docket No. 32760, the Board will entertain no requests for affirmative relief with respect to these responsive applications. Parties may only participate in direct support of or in direct opposition to these responsive applications as filed.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The responsive applications in Finance Docket No. 32760 (Sub-Nos. 10, 11, 12, 13, 14, 16 and 17) are accepted for consideration, and are consolidated for disposition with the primary application in Finance Docket No. 32760 (and all embraced proceedings).

2. The responsive application in Finance Docket No. 32760 (Sub-No. 15) is rejected.

3. The parties shall comply with all provisions as stated above.

Decided: April 5, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96–9129 Filed 4–11–96; 8:45 am]

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[5] Specifically, Cen-Tex/South Orient seeks trackage rights over: (1) UPRR's Fort Worth line from Tower 55 to the UP Fort Worth connection with Railtran's line; (2) the UPRR Dallas connection with Railtran's line to the C.J. Yard in Dallas; (3) the SP line from Sulphur Springs, TX, to the KCS connection in Texarkana, TX/AR.

[6] Cen-Tex/South Orient did not, on or before the January 29, 1996 deadline, file a petition for waiver or clarification to have its responsive application designated a minor transaction. However, even if it had successfully done so, it has not filed the information necessary to support even a responsive application for a minor transaction.

DEPARTMENT OF THE TREASURY

Submission to OMB for Review; Comment Request

March 25, 1996.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

Internal Revenue Service (IRS)

OMB Number: 1545–0731.

Regulation ID Number: PS–1–83 NPRM; PS–259–82 TEMP; and PS–262–82 Final.

Type of Review: Extension.

Title: Certain Elections under the Subchapter S Revision (PS–1–83 NPRM and PS–259–82 TEMP; and Definition of S Corporation (PS–262–82 Final).

Description: The regulations provide the procedures and the statements to be filed by certain individuals for making the election under section 1361(d)(2), the refusal to consent to that election, or the revocation of that election. The statements required to be filed would be used to verify that taxpayers are complying with requirements imposed by Congress.