

State	FHWA address, phone no.
New York	Leo W. O'Brien Federal Building, Clinton & N. Pearl Ss., 9th Floor, Albany, NY 12207, 518-431-4131.
North Carolina	310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-856-4347.
North Dakota	1471 Interstate Loop, Bismarck, ND 58501-0567, 701-250-4347.
Ohio	200 North High Street, Room 328, Columbus, OH 43215, 614-280-6896.
Oklahoma	300 N. Meridian, Suite 105 S, Oklahoma City, OK 73107-6560, 405-605-6174.
Oregon	The Equitable Center, Suite 100, 530 Center St., N.E., Salem, OR 97301, 503-399-5749.
Pennsylvania	228 Walnut Street, Room 558, Harrisburg 17101-1720, 717-221-4585.
Puerto Rico	Federico Degetau Federal Building and U.S. Courthouse, Carlos Chardon St., Rm 329, San Juan, PR 00918-1755, 787-766-5600, Ext. 230.
Rhode Island	380 Westminster Mall, Fifth Floor, Providence, RI 02903, 401-528-4560.
South Carolina	Strom Thurmond Federal Building, 1835 Assembly Street, Suite 758, Columbia, SC 29201, 803-765-5282.
South Dakota	The Sibley Building, 116 East Dakota Avenue, Pierre, SD 57501-3110, 605-224-7326, Ext. 3043.
Tennessee	249 Cumberland Bend Drive, Nashville, TN 37228, 615-736-5394.
Texas	Federal Office Building, Room 826, 300 East Eighth Street, Austin, TX 78701, 512-916-5511.
Utah	2520 W. 4700 South, Suite 9A, Salt Lake City, UT 84118, 801-963-0182.
Vermont	Federal Building, 87 State St., P.O. Box 568, Montpelier 05601, 802-828-4433.
Virginia	The Dale Building, Suite 205, 1504 Santa Rosa Road, Richmond 23229, 804-281-5103.
Washington	Suite 501, Evergreen Plaza, 711 South Capitol Way, Olympia, WA 98501, 360-753-9554.
West Virginia	Geary Plaza, Suite 200, 700 Washington Street. E, Charleston, WV 25301-1604, 304-347-5929.
Wisconsin	Highpoint Office Park, 567 D'Onofrio Drive, Madison, WI 53719-2814, 608-829-7506.
Wyoming	1916 Evans Avenue, Cheyenne, WY 82001-3764, 307-772-2004, Ext. 41.

**FHWA/FTA Metropolitan Offices**

New York	6 World Trade Center, Room 320, New York, NY 10048, FAX: 212-466-1939, 212-668-2201. 26 Federal Plaza, Suite 2940, New York, NY 10278-0194, FAX 212-264-8973, 212-668-2170.
Philadelphia	1760 Market St., Suite 510, Philadelphia, Pa 19103, 215-656-7070, FAX: 215-656-7260, 215-656-7111.
Chicago	200 West Adams, Room 2410, Chicago, IL 60606, 312-886-1616, FAX: 312-886-0351 312-886-1604.
Los Angeles	201 N. Figueroa Street, Suite 1460, Los Angeles, CA 90012; 213-202-3950; FAX: 213-202-3961.

**Authority:** 23 U.S.C. 315; sec. 1221, Pub.L. 105-178, 112 Stat. 107, 221 (1998); 49 CFR 1.48.

Issued on: May 3, 1999.

**Gloria J. Jeff,**

*Federal Highway Deputy Administrator.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Railroad Administration**

**Petition for Reconsideration of Waiver of Compliance**

In accordance with Title 49 Code of Federal Regulations Sections 211.9 and 211.41 notice is hereby given that the Federal Railroad Administration (FRA) has received a request for reconsideration of a waiver of compliance from certain requirements of Federal railroad safety regulations. The individual petition is described below, including the parties seeking relief, the regulatory provisions involved and the nature of the relief being requested.

*National Railroad Passenger Corporation (Waiver Petition Docket Number H-96-1)*

The Federal Railroad Administration has received a request from the National Railroad Passenger Corporation (Amtrak) to modify conditions set forth in the conditionally approved Petition for Waiver of Compliance, H-96-1. That waiver is for the development, testing, installation, and demonstration of a communication-based train control system in Amtrak's Detroit to Chicago Corridor.

Amtrak requests that Condition No. 1, of H-96-1, "Waiver is not for revenue service," be changed to include daily revenue service trains, with newly defined conditions.

The waiver granted permission to operate a test train at speeds exceeding 79 MPH, but not to exceed 110 MPH, with the following conditions:

1. Waiver is not for revenue service.
2. Compliance with Test Plan 081776-070 REV. A04.
3. Waiver is granted until July 1, 1997.
4. FRA reserves the right to modify or rescind this waiver upon receipt of information pertaining to the safety of rail operations or in the event of

noncompliance with the conditions of this approval.

(Condition 3 has since been modified twice, with the waiver currently granted until December of 1999.)

A test train was operated successfully at speeds up to 100 MPH in the fall of 1996. Much was accomplished in these tests, much data was collected, and the supplier of this system, Harmon Industries, is currently deeply involved in the integration of the system. This integration involves an exhaustive investigation of all possible failure modes of the train control system in order to be able to certify the fail-safety of the system when the final release to Amtrak is made for in-service testing for revenue service.

It has become apparent the vendor will not be able to fully complete the validation and verification of the wayside and location processor subsystems until mid-year 2000, and the host (on-board) processor subsystem until the end of the third quarter of year 2001.

The partners in this project believe that an important part of the development of this project, that must not be delayed, is the next step in

testing to determine the reliability of the system in regular revenue service.

In view of the significant delays encountered in developing the full validation and verification, Amtrak now would like to commence testing the system in revenue service. They propose that the system actually be placed in daily service for a significant "burn-in" period with close monitoring to develop the availability/reliability of the system. This would be done in parallel with the ongoing validation and verification effort, and would be done in such a way that it would not have an adverse impact on the revenue service trains. Initially, revenue service trains would be ITCS equipped and operated through the ITCS test territory with the P2A valve cut out and no ITCS operating rules in effect, at speeds not to exceed 79 MPH. After this first 90 day period the P2A valve would be cut in and ITCS operating rules would be in effect, with maximum speed being 79 MPH for an additional 90 days. Further, Amtrak requests that the limits of the test bed for the purpose of this waiver, be extended as wayside equipment is cut-over, eastward from Signal 175 to Signal 150 west of Oshtemo, Michigan, and westward from Signal 195 to Signal 216, west of Three Oaks, Michigan.

Amtrak's proposed timetables are:

ITCS Cutover, P2A valve cut out

- Estimated Duration—90 days
- Maximum Passenger Speed—79 MPH
- Location—Signal 175 (M.P.175.2) to Signal 195 (M.P. 195.55)
- ITCS Operating Rules not in effect
- Commence—April 1999

P2A valve cut-in

- Estimated Duration—90 days
- Maximum Passenger Speed—79 MPH
- Location—Signal 175 (M.P.175.2) to Signal 195 (M.P. 195.55)
- ITCS Operating Rules in effect
- Commence—July 1999

ITCS data from the following sources will be evaluated via remote modem technology from Harmon's Grain Valley technical facility:

- Departure Test Devices
- Wayside Interface Units and Wayside Interface Unit-Servers
- Locomotive and Non-Powered Control Units On-board Computer
- Home and Intermediate Signals
- Grade Crossings

Revenue Service, Limited

- Estimated Duration—300 days
- Maximum Passenger Speed—90 MPH
- Location—Signal 150 to Signal 216
- ITCS Operating Rules in effect
- Commence—October 1999

FRA feels that Amtrak can continue, under H-96-1 existing conditions, with ITCS Cutover, P2A Cut-Out. This is a 90 day period allowing for wayside equipment cutover, and on-board data gathering within the 20 mile test bed and at speeds not to exceed 79 MPH, with no ITCS rules in effect, and the P2A valve not cut-in to the ITCS. This period is to commence in April 1999.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning this proceedings should identify by the docket number (1) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, Washington, DC 20590-0001. Communications received within 30 days of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.-5:00 p.m.) at DOT Central Docket Management Facility, Room PL-401 (Plaza Level), 400 Seventh Street, SW, Washington, DC 20590-0001. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at <http://dms.dot.gov>.

Issued in Washington, DC on May 3, 1999.

**Grady C. Cothen, Jr.,**

*Deputy Associate Administrator for Safety Standards and Program Development.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Application for Approval of Discontinuance or Modification of a Railroad Signal System or Relief From the Requirements of Title 49 Code of Federal Regulations Part 236

Pursuant to Title 49 Code of Federal Regulations (CFR) Part 235 and 49 U.S.C. App. 26, the following railroads have petitioned the Federal Railroad Administration (FRA) seeking approval for the discontinuance or modification

of the signal system or relief from the requirements of 49 CFR Part 236 as detailed below.

*Docket No.:* FRA-1999-4990.

*Applicant:* Colorado and Kansas Railroad Company, Mr. John A. Stiehl, Authorized Agent for Board of Directors, P.O. Box 128, Louisville, Colorado 80027.

Colorado and Kansas Railroad Company seeks approval of the proposed temporary discontinuance of the automatic block signal system, on the main track and siding, between NA Junction, milepost 869.40 and Towner, milepost 747.50, Colorado, on the Hoisington Subdivision, with restoration by January 1, 2001.

The reason given for the proposed changes is to enable the Colorado and Kansas Railroad Company start-up operation to begin in advance of completion of costly signal repairs.

Any interested party desiring to protest the granting of an application shall set forth specifically the grounds upon which the protest is made, and contain a concise statement of the interest of the Protestant in the proceeding. Additionally, one copy of the protest shall be furnished to the applicant at the address listed above.

All communications concerning this proceeding should be identified by the docket number and must be submitted to the Docket Clerk, DOT Central Docket Management Facility, Room PI-401, Washington, DC 20590-0001. Communications received within 45 days of the date of this notice will be considered by the FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.-5:00 p.m.) at DOT Central Docket Management Facility, Room PI-401 (Plaza Level), 400 Seventh Street, SW, Washington, DC 20590-0001. All documents in the public docket are also available for inspection and copying on the internet at the docket facility's Web site at <http://dms.dot.gov>.

FRA expects to be able to determine these matters without an oral hearing. However, if a specific request for an oral hearing is accompanied by a showing that the party is unable to adequately present his or her position by written statements, an application may be set for public hearing.