

*Estimated Total Annual Burden**Hours:* 5,881.*Status:* Regular Review.

Pursuant to 44 U.S.C. 3507(a) and 5 CFR 1320.5(b), 1320.8(b)(3)(vi), FRA informs all interested parties that it may not conduct or sponsor, and a respondent is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, D.C. on December 3, 1999.

**Marie S. Savoy,**

*Director, Office of Information Technology and Support Systems, Federal Railroad Administration.*

[FR Doc. 99-32038 Filed 12-9-99; 8:45 am]

BILLING CODE 4910-06-U

**DEPARTMENT OF TRANSPORTATION****Federal Railroad Administration****Petition for Waiver of Compliance**

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

*New Jersey Transit Rail Operations, Inc.*  
Waiver Petition Docket Number FRA-1999-6356

New Jersey Transit Rail Operations, Inc. (NJTROI) seeks a temporary waiver of compliance from certain provisions of 49 CFR 238.235, which stipulates that by December 31, 1999, each powered, exterior side door shall have a manual override device installed in the vestibule.

NJTROI requests an extension of this time requirement; specifically, NJTROI requests that it be allowed to complete the required manual override device installation by July 1, 2004, instead of the December 31, 1999 deadline date as specified in the CFR.

**Background**

NJTROI operates a total of 745 passenger railcars on its system, all of which are equipped with power exterior side doors. None of the cars comply with the new regulation. Of the total, 484 cars are of the push pull type, 230 are electric MU cars, and 31 are push

pull cars owned by Metro North and operated by NJTROI. This makes a grand total of 2,959 manual doors that need a manual override system installed.

**Reason for Request**

NJTROI feels that it cannot complete this project by the required deadline because of the design, manufacturing, retrofitting, testing and installation of a total 2,959 critical safety devices that need to be installed in a total of 745 cars.

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 these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number 1999-6356) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW, Washington, DC 20590. Communications received by December 30, 1999, 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 the above facility. 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, D.C. on December 8, 1999.

**Michael J. Logue,**

*Deputy Associate Administrator for Safety Compliance and Program Implementation.*

[FR Doc. 99-32152 Filed 12-9-99; 8:45 am]

BILLING CODE 4910-06-P

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Ex Parte No. 558 (Sub-No. 3)]****Railroad Cost of Capital—1999**

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of decision instituting a proceeding to determine the railroads' 1999 cost of capital.

**SUMMARY:** The Board is instituting a proceeding to determine the railroad industry's cost of capital for 1999. The decision solicits comments on: (1) the railroads' 1999 cost of debt capital; (2) the railroads' 1999 current cost of preferred stock equity capital; (3) the railroads' 1999 cost of common stock equity capital; and (4) the 1999 capital structure mix of the railroad industry on a market value basis.

**DATES:** Notices of intent to participate are due no later than January 14, 2000. A service list will then be prepared and issued by January 28, 2000. Statements of the railroads are due by March 31, 2000. Statements of other interested persons are due by April 21, 2000. Rebuttal statements by the railroads are due by May 12, 2000.

**ADDRESSES:** Send an original and 10 copies of statements and a copy of the statement on a 3.5 inch disk in WordPerfect 6.1, and an original and 1 copy of the notice of intent to participate to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1925 K Street, NW., Washington, DC 20423.

**FOR FURTHER INFORMATION CONTACT:**  
Leonard J. Blistein, (202) 565-1529.  
[TDD for the hearing impaired: (202) 565-1695.]

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. To obtain a copy of the full decision, write to, call, or pick up in person from: Office of the Secretary, Surface Transportation Board, 1925 K Street, NW., Room 100, Washington, DC 20423. Telephone: (202) 565-1674. [Assistance for the hearing impaired is available through TDD services (202) 565-1695.] A copy of the decision can also be obtained from the Board's Internet site ([www.stb.dot.gov](http://www.stb.dot.gov)).

We preliminarily conclude that the proposed action will not significantly affect either the quality of the human environment or the conservation of energy resources.

**Authority:** 49 U.S.C. 10704(a).

Decided: December 6, 1999.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

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

[FR Doc. 99-32080 Filed 12-9-99; 8:45 am]

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