

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 1999-6639) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, S.W., Washington, D.C. 20590. Communications received within 45 days of the date 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 a.m.—5 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, DC on January 18, 2000.

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

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

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-1999-6252]

#### CSX Transportation, Inc.; Public Hearing

On November 1, 1999, the Federal Railroad Administration (FRA) published a notice in the **Federal Register** announcing CSX Transportation, Inc.'s (CSXT) request to obtain a temporary waiver of compliance from certain provisions of the Railroad Locomotive Safety Standards, Title 49, Code of Federal Regulations (CFR), Part 229. Specifically, CSXT requests relief from the requirements of 49 CFR 229.27(a)(2), Annual tests, and 49 CFR 229.29(a), Biennial tests, as solely applicable to all present and future installations of the New York Air Brake Corporation's Computer Controlled Brake (CCB) Systems on CSXT locomotives. CSXT is making this request so they can begin the implementation of a Test Plan to prove the new technology incorporated in this brake system is more reliable and safer in the rail transportation industry with the intent of relying on the CCB

computer diagnostics to identify defective components and repair as required. The petitioner seeks to move toward a performance-based COTS criterion.

As a result of comments received by FRA concerning this waiver petition, FRA has determined that a public hearing is necessary before a final decision is made on this petition. Accordingly, a public hearing is hereby set for 9:00 a.m. on Wednesday, February 23, 2000, in Conference Room One, Seventh Floor, at 1120 Vermont Avenue, NW, Washington, DC 20005. Interested parties are invited to present oral statements at this hearing. The hearing will be informal and will be conducted in accordance with Rule 25 of the FRA Rules of Practice (49 CFR 211.25) by a representative designated by FRA. The FRA representative will make an opening statement outlining the scope of the hearing, as well as any additional procedures for the conduct of the hearing. The hearing will be a non-adversarial proceeding in which all interested parties will be given the opportunity to express their views regarding this waiver petition without cross-examination. After all initial statements have been completed, those persons wishing to make a brief rebuttal will be given an opportunity to do so in the same order in which initial statements were made.

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

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

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## 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 from certain requirements of its safety standards. The individual petition is described below including, the party seeking relief, the regulatory provision involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### RailRunner, Manufacturer of "IRV®" Intermodal Rail Vehicle

(Waiver Petition Docket Number FRA-1999-6416)

RailRunner is seeking a permanent waiver of compliance with the *Railroad Safety Appliance Standards*, 49 CFR 231.1(a)(3)(I); § 231.1(a)(3)(ii) which specifies the operation and location of the hand brake shaft; § 231.1 (b) through (j) which specifies the location, dimension and manner of application of brake steps, sill steps, end ladder clearance, roof handholds, side handholds, horizontal handholds and vertical handholds; and *Railroad Freight Car Safety Standards*, 49 CFR part 215, Appendix A (I) (4) which restrict the use of an "I" section compression or tension member on truck side frame, for RailRunner Intermediate Rail Vehicle equipment.

The RailRunner car-less intermodal system consists of modified semi-trailers, or container chassis, interconnected by special purpose rail bogies. Trailers are fitted with receivers at each end to allow mating with the bogies. The trailers are also fitted with air lines to provide air for brakes and air springs.

The bogie is a fabricated radial truck with air springs. The air springs are used to lift the trailers to proper height above the rail, and they also act as the secondary suspension. Shear pads provide lateral and longitudinal suspension stiffness. The bogie uses conventional 33-inch wheel sets and truck mounted brakes. Each bogie is fitted with an ABDX control valve and a lever-type hand brake.

The trailers rest on the upper frame of the bogie, which carries the vertical load. In-train longitudinal forces are transmitted through a continuous drawbar between the trailers. The drawbar is connected to each trailer through a 3-inch diameter pin.

The front and rear of the train are fitted with a transition bogie. This bogie has an identical lower frame and suspension arrangement to the intermediate bogie. The upper frame is basically a conventional railcar center sill and draft sill. The draft sill holds a top and bottom shelf coupler with an M-901E draft gear. The sill also supports a crossover platform. The transition bogie allows the RailRunner train to be coupled to a locomotive or other standard railcars.

A RailRunner bogie has two lower frames, one over each axle and one upper frame. The lower frames are linked at the center of the bogie to allow frames and axles to align radial in a curve. The upper frame serves two

functions. Its primary function is to distribute the weight of two trailer ends to the lower frame via the suspension system. The second function of the upper frame is to lift the trailer to operating height. This is accomplished in two steps. First, the upper frame is shaped like a ramp. When a trailer is backed up the ramp it is raised high enough for the rubber tires to clear the ground. This removes the friction between the rubber tires and the ground, allowing the air springs, which raises the trailer further.

There is a parallel arrangement for air springs and coil springs. When the bogie is in the lowered position, with the air bags deflated, the coil springs fit inside the upper frame. When the bogie is in the "run" position, with air bags inflated, a plate is rotated into position covering the coil springs hole in the upper frame. At this point, if the air springs inadvertently deflated, the upper frame rests on the coil springs.

The 6X11 roller bearings are rated for a total bogie weight-on-rail of 110,000 pounds (70-ton railcar).

The petitioner states that the RailRunner System passed all Chapter XI tests at the Transportation Technology Center Inc., (TTCI).

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 1999-6416) 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 within 45 days of the date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All document in the public docket are also available for inspection and copying on the Internet at the docket facility's web site <http://dms.dot.gov>.

Issued in Washington, D.C. on January 18, 2000.

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

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

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. MC-F-20960]

#### Stagecoach Holdings PLC and Coach USA, Inc., et al.,—Control—American Coach Lines, Inc.

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice Tentatively Approving Finance Transaction.

**SUMMARY:** Stagecoach Holdings PLC (Stagecoach) and its subsidiary, Coach USA, Inc. (Coach), noncarriers, and various subsidiaries of each (collectively, applicants), filed an application under 49 U.S.C. 14303 to acquire control of American Coach Lines, Inc. (ACL), a motor passenger carrier. Persons wishing to oppose this application must follow the rules under 49 CFR part 1182.5 and 1182.8. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments must be filed by March 6, 2000. Applicants may file a reply by March 21, 2000. If no comments are filed by March 6, 2000, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of any comments referring to STB Docket No. MC-F-20960 to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, send one copy of any comments to applicant's representative: Betty Jo Christian, Steptoe & Johnson LLP, 1330 Connecticut Avenue, NW, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar (202) 565-1600. [TDD for the hearing impaired: 1-800-877-8339.]

#### SUPPLEMENTARY INFORMATION:

Stagecoach is a public limited corporation organized under the laws of Scotland. With operations in eight countries, Stagecoach is one of the world's largest providers of passenger transportation services. Stagecoach had annual revenues for the fiscal year ending April 30, 1999, of \$2.475 billion. Coach is a Delaware corporation that

currently controls 83 motor passenger carriers.

Stagecoach and its subsidiaries currently control Coach<sup>1</sup>, its noncarrier regional management subsidiaries, and the motor passenger carriers jointly controlled by Coach and the management subsidiaries.<sup>2</sup> In previous Board decisions, Coach management subsidiaries, including Coach USA Southeast, Inc., have obtained authority to control motor passenger carriers jointly with Coach.<sup>3</sup>

Applicants state that Coach purchased all of the outstanding stock of ACL in November 1999 and simultaneously placed that stock into an independent voting trust.<sup>4</sup>

According to applicants, the transaction did not involve any transfer of the federal or state operating authorities held by ACL and will not entail any change in that carrier's operations.

Applicants have submitted information, as required by 49 CFR 1182.2(a)(7), to demonstrate that the proposed acquisition of control is consistent with the public interest under 49 U.S.C. 14303(b) Applicants state that the proposed transaction will not reduce competitive options, adversely impact fixed charges, or adversely impact the interests of the employees of ACL. In addition, applicants have submitted all of the other statements and certifications required by 49 CFR 1182.2. Additional information, including a copy of the application, may be obtained from the applicants' representative.

Under 49 U.S.C. 14303(b), we must approve and authorize a transaction we find consistent with the public interest, taking into consideration at least: (1) the effect of the transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees.

<sup>1</sup> Stagecoach controls Coach through various subsidiaries, namely, SUS 1 Limited, SUS 2 Limited, Stagecoach General Partnership, and SCH US Holdings Corp.

<sup>2</sup> See *Stagecoach Holdings PLC—Control—Coach USA, Inc., et al.*, STB Docket No. MC-F-20948 (STB served July 22, 1999).

<sup>3</sup> See *Coach USA, Inc. and Coach USA North Central, Inc.—Control—Nine Motor Carriers of Passengers*, STB Docket No. MC-F-20931, et al. (STB served July 14, 1999).

<sup>4</sup> ACL is a Georgia corporation. It holds federally-issued operating authority in Docket No. MC-141589, authorizing it to provide charter and special services between points in the United States, as well as various regular route services between the Atlanta area and points in Georgia, North Carolina and Alabama. ACL operates a fleet of approximately 70 buses and employs approximately 120 persons. Its revenues for the 12-month period ending September 30, 1999, were approximately \$8.8 million.