

permanently incorporated into the NSR double-track Cloggsville Connection main line; and (2) the existing FIR-NSR interchange will be relocated from Knob to the vicinity of Fulton Road, just north of the segment being transferred to NSR, where a new FIR interchange yard has been constructed at NSR's expense.

The proposed joint relocation project will not disrupt service to shippers.<sup>4</sup> Its stated purpose is to facilitate and finalize the Cloggsville Connection routing alternative which has significantly improved train operations through Cleveland and minimized adverse impacts on area residents.

The Board will exercise jurisdiction over the abandonment or construction components of a relocation project, and require separate approval or exemption, only where the removal of track affects service to shippers or the construction of new track involves expansion into new territory. *See City of Detroit v. Canadian National Ry. Co., et al.*, 9 I.C.C.2d 1208 (1993), *aff'd sub nom., Detroit/Wayne County Port Authority v. ICC*, 59 F.3d 1314 (D.C. Cir. 1995). Under these standards, the incidental abandonment and construction components require no separate approval or exemption when the relocation project will not disrupt service to shippers and thus qualifies for the class exemption at 49 CFR 1180.2(d)(5).

As a condition to this exemption, any employees affected by the joint relocation project will be protected by the conditions imposed in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions 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. 34108, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on William C. Sippel, Fletcher & Sippel LLC, Two Prudential Plaza, Suite 3125, 180 North Stetson Avenue, Chicago IL 60601-6721, and John V. Edwards, General Attorney, Norfolk Southern Corporation,

Three Commercial Place, Norfolk, VA 23510-9241.

Board decisions and notices are available on our web site at "[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV)."

Decided: November 7, 2001.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01-28502 Filed 11-14-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34131]

#### Fort Worth and Western Railroad Company, Inc.—Acquisition and Operation Exemption—Union Pacific Railroad Company

Fort Worth and Western Railroad Company, Inc. (FWWR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and operate rail lines owned by the Union Pacific Railroad Company (UP). FWWR will acquire, by lease, the full and exclusive rights to operate UP's Peach Yard, extending from milepost 611.20 to milepost 611.80 in Fort Worth, TX, excluding main line trackage. In addition, FWWR will acquire non-exclusive incidental trackage rights, solely for the purpose of interchanging traffic, over UP's main lines as follows: (1) Between mileposts 748.00 and 754.41, on the Choctaw Subdivision; (2) between mileposts 608.00 and 612.96, on the Duncan Subdivision, and between mileposts 250.00 and 251.03, on the Fort Worth Subdivision. The total route miles of trackage acquired under lease is 0.60 and under incidental trackage rights are 12.40.

Because the projected revenues of the rail lines to be operated will exceed \$5 million, FWWR has certified to the Board that the required notice of its acquisition and operation was posted at the workplace of the employees on the affected lines and a copy of the notice was served on the national offices of the labor unions of the employees on the affected lines on October 25, 2001. *See* 49 CFR 1150.42(e). The earliest the transaction can be consummated is January 1, 2002, the effective date of the exemption (60 days after FWWR's November 2, 2001 certification to the Board).

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. 34131, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Paul H. Lamboley, Esq., 1717 N Street, NW., Washington, DC 20036.

Board decisions and notices are available on our website at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: November 7, 2001.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01-28655 Filed 11-14-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### Surety Companies Acceptable on Federal Bonds: Termination—Mutual Service Casualty Insurance Company

**AGENCY:** Financial Management Service, Fiscal Service, Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** This is Supplement No. 12 to the Treasury Department Circular 570; 2001 Revision, published July 2, 2001 at 66 FR 35024.

**FOR FURTHER INFORMATION CONTACT:** Surety Bond Branch at (202) 874-6765.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Certificate of Authority issued by the Treasury to the above named Company, under the United States Code, Title 31, Sections 9304-9308, to qualify as an acceptable surety on Federal bonds is terminated effective today.

The Company was last listed as an acceptable surety on Federal bonds at 66 FR 35047, July 2, 2001.

With respect to any bonds, including continuous bonds, currently in force with the above listed Company, bond-approving officers should secure new bonds with acceptable sureties in those instances where a significant amount of liability remains outstanding. In addition, in no event, should bonds that are continuous in nature be renewed.

The Circular may be viewed and downloaded through the Internet at <http://www.fms.treas.gov/c570/>

<sup>4</sup> There are no shippers located on the FIR segment to be transferred to NSR, and FIR will continue to serve all of its existing shippers as it has done in the past. Interchange operations between FIR and NSR will also continue but at a relocated point approximately 2 miles north of the former interchange location.