

any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

The Exchange has neither solicited nor received written comments on the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Because the foregoing proposed rule change does not:

(i) Significantly affect the protection of investors or the public interest;

(ii) impose any significant burden on competition; and

(iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to section 19(b)(3)(A) of the Act<sup>10</sup> and Rule 19b-4(f)(6) thereunder.<sup>11</sup> At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

The NYSE has requested that the Commission waive the 30-day operative delay. The Commission finds good cause to waive both the 5-day pre-filing notice requirement and the 30-day operative delay, because such designation is consistent with the protection of investors and the public interest. Acceleration of the operative date will allow the NYSE to immediately conform NYSE Rule 440H to section 31 of the Act. For these reasons, the Commission finds good cause to waive both the 5-day pre-filing requirement and the 30-day operative delay.<sup>12</sup>

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposal is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission,

450 Fifth Street, NW, Washington, DC 20549-0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NYSE. All submissions should refer to file number SR-NYSE-2002-05 and should be submitted by February 20, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>13</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. 02-2215 Filed 1-29-02; 8:45 am]

**BILLING CODE 8010-01-M**

**SOCIAL SECURITY ADMINISTRATION**

**The Ticket To Work and Work Incentives Advisory Panel Meeting**

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice of meeting.

**DATES:** February 12, 2002, 10 a.m.-5 p.m.; February 13, 2002, 9 a.m.-5 p.m.; February 14, 2002, 9 a.m.-3 p.m.

**ADDRESSES:** Omni Shoreham Hotel, 2500 Calvert Street, NW., Washington, DC 20008, Phone: (202) 234-0700, Fax: (202) 265-7972.

**SUPPLEMENTARY INFORMATION:**

*Type of meeting:* This is a quarterly meeting open to the public. The public is invited to participate by coming to the address listed above. Public comment will be taken during the quarterly meeting. The public is also invited to submit comments in writing on the implementation of the Ticket to Work and Work Incentives Improvement Act (TWWIIA) of 1999 at any time.

*Purpose:* In accordance with section 10(a)(2) of the Federal Advisory Committee Act, the Social Security Administration (SSA) announces a meeting of the Ticket to Work and Work Incentives Advisory Panel (the Panel). Section 101(f) of the Public Law 106-170 establishes the Panel to advise the Commissioner of SSA, the President, and the Congress on issues related to

work incentives programs, planning and assistance for individuals with disabilities as provided under section 101(f)(2)(A) of the TWWIIA. The Panel is also to advise the Commissioner on matters specified in section 101(f)(2)(B) of that Act, including certain issues related to the Ticket to Work and Self-Sufficiency Program established under section 101(a) of the Act.

Interested parties are invited to attend the meeting. The Panel will use the meeting time to receive briefings, hear presentations, conduct full Panel deliberations on the implementation of TWWIIA, receive public testimony and conduct other business.

The Panel will meet in person commencing on Tuesday, February 12, 2001 from 10 a.m. to 5 p.m.; Wednesday, February 13, 2001 from 9 a.m. to 5 p.m.; and Thursday, February 14, 2001 from 9 a.m. to 3 p.m.

*Agenda:* The Panel will hold a quarterly meeting. Briefings, presentations, full Panel deliberations and other Panel business will be held Tuesday, Wednesday and Thursday, February 12, 13 and 14, 2002. Topics of discussion may include Ticket Program policy implementation; the Social Security Administration's (SSA's) adequacy of incentive study and 1 for 2 demonstration; and updates from ticket program-related federal partners. Public testimony will be heard in person Wednesday February 13, 2002 from 2 p.m. to 3:30 p.m. and on Thursday February 14, 2002 from 9 a.m. to 10:30 a.m. Members of the public must schedule a timeslot in order to comment. In the event that the public comments do not take up the scheduled time period for public comment, the Panel will use that time to deliberate and conduct other Panel business. Individuals interested in providing testimony in person should contact the Panel staff as outlined below to schedule time slots. Each presenter will be called on by the Chair in the order in which they are scheduled to testify and is limited to a maximum five-minute verbal presentation. Full written testimony on TWWIIA Implementation, no longer than 5 pages, may be submitted in person or by mail, fax or email on an on-going basis to the Panel for consideration.

Since seating may be limited, persons interested in providing testimony at the meeting should contact the Panel staff by e-mailing Kristen M. Breland, at [kristen.m.breland@ssa.gov](mailto:kristen.m.breland@ssa.gov) or calling (202) 358-6423.

The full agenda for the meeting will be posted on the Internet at <http://www.ssa.gov/work/panel/> two weeks before the meeting or can be received in

<sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>11</sup> 17 CFR 240.19b-4(f)(6).

<sup>12</sup> For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>13</sup> 17 CFR 200.30-3(a)(12).

advance electronically or by fax upon request.

**Contact Information:** Any requiring information regarding the Panel should contact the TWWIIA Panel staff. Records are being kept of all Panel proceedings and will be available for public inspection by appointment at the Panel office. Anyone requiring information regarding the Panel should contact the Panel staff by:

- Mail addressed to Social Security Administration, Ticket to Work and Work Incentives Advisory Panel Staff, 400 Virginia Avenue, SW., Suite 700, Washington, DC 20024.
- Telephone contact with Kristen Breland at (202) 358-6423.
- Fax at (202) 358-6440.
- E-mail to [TWWIIAPanel@ssa.gov](mailto:TWWIIAPanel@ssa.gov).

Dated: January 25, 2002.

**Deborah M. Morrison,**

*Designation Federal Officer.*

[FR Doc. 02-2366 Filed 1-29-02; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

[Docket No. RSPA-01-10867; Notice 2]

#### Pipeline Safety: Petition for Waiver; Williams Gas Pipelines-West

Williams Gas Pipelines-West (or "Williams") petitioned the Research and Special Programs Administration (RSPA) for a waiver from compliance with the regulation at 49 CFR 192.611(d) until June 30, 2003. This regulation requires pipeline operators to confirm or revise the maximum allowable operating pressure of certain gas transmission lines within 18 months after population growth changes the classification of the line.

The petition concerns a 1500-foot pipeline segment constructed in 1991 in Utah County, Utah, that changed from Class 2 to Class 3 due to development of a subdivision. The segment is part of the Kern River natural gas transmission line, which runs from Wyoming to the San Joaquin Valley near Bakersfield, California, where the gas is used in the generation of electricity.

The petition indicates the change in classification comes while Williams is undertaking an expansion project on its Kern River line, which it plans to complete in 2003, pending approval by the Federal Energy Regulatory Commission. Rather than replace the 1500-foot segment with new pipe to satisfy § 192.611(d), the petition indicates Williams prefers to relocate

the segment to a less populated right-of-way as part of the expansion project. The relocation alternative would result in a single impact to land owners and the environment during the construction.

In response to Williams' petition, we published a notice explaining why granting a waiver from 49 CFR 192.611(d) until June 30, 2003, to allow Williams time to carry out its relocation plan, would not be inconsistent with pipeline safety (Notice 1; 66 FR 59045; Nov. 26, 2001). In that notice, we invited interested persons to submit written comments on the proposed waiver by December 26, 2001. However, we did not receive any comments on the proposed waiver.

In accordance with the foregoing, RSPA, by this order, finds that compliance with § 192.611(d) is unnecessary for the reasons stated in Notice 1 of this proceeding, and that granting Williams' requested waiver would not be inconsistent with pipeline safety. Accordingly, Williams' petition for waiver from compliance with § 192.611(d) is granted until June 30, 2003. As stated in Notice 1, if there is an unforeseen delay in the relocation project, we may extend the June 30, 2003, deadline up to an additional 6 months without further opportunity to comment by publishing a notice of such extension in the **Federal Register**.

**Authority:** 49 U.S.C. 60118(c); and 49 CFR 1.53.

Issued in Washington, DC on January 24, 2002.

**Stacey L. Gerard,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 02-2211 Filed 1-29-02; 8:45 am]

BILLING CODE 4910-60-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34130]

#### RailAmerica, Inc.—Control Exemption—Kiamichi Holdings, Inc. and Kiamichi Railroad L.L.C.<sup>1</sup>

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board exempts from the prior approval requirements of 49 U.S.C. 11323, *et seq.*, the acquisition by RailAmerica, Inc.

<sup>1</sup> On December 5, 2001, a protective order was issued in this proceeding. The title reflected the expected participation of West Texas and Lubbock Railroad Company, Inc. (West Texas). Because West Texas will not, in fact, be a party to the transaction, the above title has been revised to reflect that fact.

(RailAmerica or petitioner) of control of Kiamichi Holdings, Inc., and its subsidiary Class III rail carrier Kiamichi Railroad L.L.C. RailAmerica is a noncarrier holding company that controls two Class II and 23 Class III rail carriers. Petitioner has agreed to acquire the railroad subsidiaries of Kauri, Inc., pursuant to two notices of exemption and this petition for exemption.<sup>2</sup> RailAmerica requests expedited action on the exemption petition. The request is addressed in the Board's decision.

**DATES:** The exemption will be effective on date of publication. Petitions for reconsideration must be filed by February 14, 2002.

**ADDRESSES:** Send an original and 10 copies of any pleadings referring to STB Finance Docket No. 34130 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 pleadings to petitioner's representatives: Gary A. Laakso, *Esq.*, 5300 Broken Sound Blvd., NW, Second Floor, Boca Raton, FL 33487, and Louis E. Gitomer, *Esq.*, 1455 F Street, NW, Suite 225, Washington, DC 20005.

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

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dà 2 Dà Legal, 1925 K Street NW, Suite 405, Washington, DC 20006. Telephone: (202) 293-7776.

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

Decided: January 23, 2002.

<sup>2</sup> On December 7, 2001, RailAmerica filed a notice of exemption to acquire control of the Alabama & Gulf Coast Railway L.L.C. See *RailAmerica, Inc.-Control Exemption-New StatesRail Holdings, Inc. and Alabama & Gulf Coast Railway L.L.C.*, STB Finance Docket No. 34128 (STB served Dec. 28, 2001). Also on December 7, RailAmerica filed a notice of exemption to acquire control of Arizona Eastern Railway Company, Eastern Alabama Railway, Kyle Railroad Company, San Joaquin Valley Railroad Company, and SWKR Operating Co. See *RailAmerica, Inc.-Control Exemption-StatesRail Acquisition Corp. and StatesRail, Inc.*, STB Finance Docket No. 34129 (STB served Dec. 28, 2001). Regarding another short line railroad company, RailAmerica filed a notice of exemption on November 28, 2001, to acquire control of ParkSierra Corp. See *RailAmerica, Inc.-Control Exemption-ParkSierra Acquisition Corp. and ParkSierra Corp.*, STB Finance Docket No. 34100 (STB served Dec. 20, 2001).