

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

Vernon A. Williams,
Secretary.

[FR Doc. 02-27585 Filed 10-29-02; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34261]

Summit View, Inc.—Continuance in Control Exemption—Aliquippa & Ohio River Railroad Co.

Summit View, Inc. (Summit), a noncarrier, has filed a verified notice of exemption to continue in control of Aliquippa & Ohio River Railroad Co. (AORR), upon AORR's becoming a Class III railroad.

The transaction was scheduled to be consummated on October 10, 2002, the effective date of the exemption (7 days after the notice was filed).

This transaction is related to the concurrently filed verified notice of exemption in STB Finance Docket No. 34260, *Aliquippa & Ohio River Railroad Co.—Acquisition and Operation Exemption—Lines in Aliquippa, PA*, wherein AORR seeks to acquire and operate approximately 21 miles of rail lines currently owned and operated by Aliquippa & Southern Railroad (A&S), in the vicinity of Aliquippa, PA. AORR will interchange with CSX Transportation, Inc., at Aliquippa. AORR will handle freight traffic for the customers formerly served by A&S, without any change in material level or quality of transportation service.

At the time it filed this notice, Summit controlled nine Class III railroads: The Columbus & Ohio River Rail Road Company; Ohio Central Railroad, Inc.; Mahoning Valley Railway Company; Ohio & Pennsylvania Railroad Company; Ohio Southern Railroad, Inc.; Youngstown & Austintown Railroad, Inc.; Warren & Trumbull Railroad Company; the Youngstown Belt Railroad Company; and the Pittsburgh & Ohio Central Railroad Company, all operating in the States of Pennsylvania and Ohio.

AORR states that: (1) The railroads do not connect with each other or any railroad in their corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the ten railroads with each other or any railroad in their corporate family; and (3) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of

49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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. 34261, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kelvin J. Dowd, Slover & Loftus, 1224 Seventeenth Street, NW., Washington, DC 20036.

Board decisions and notices are available on our Web site at "www.stb.dot.gov."

Decided: October 22, 2002.

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

Vernon A. Williams,
Secretary.

[FR Doc. 02-27482 Filed 10-29-02; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Bureau of Transportation Statistics

[Docket BTS-2001-10909]

Agency Information Collection Activities Under OMB Review: OMB No. 2139-0002 and 2139-0004 (Financial and Operating Statistics for Motor Carriers of Property)

AGENCY: Bureau of Transportation Statistics (BTS), DOT.

ACTION: Notice of final disposition.

SUMMARY: BTS has submitted the following two Information Collection Requests (ICRs) described in this notice to the Office of Management and Budget (OMB) for review and approval as required under the Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13. The agency has issued two previous **Federal Register** notices on

related PRA burden estimates. BTS has received additional public comments on the related burden estimates for motor carriers of property (Class I and Class II) subject to BTS regulations, and OMB has asked the agency to conduct a reevaluation of the ICRs and the related burden estimates. Therefore, based on comments received to BTS Docket 10909, BTS is providing a summary of its reevaluation and analysis of the original burden estimates for each ICR and is requesting an extension from OMB through May 31, 2005. The current OMB approval expires on May 31, 2003, for each form.

DATES: Comments must be submitted on or before November 29, 2002.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., Room 10202, Washington, DC 20502, ATTN: Desk Officer for the Bureau of Transportation Statistics. Comments should identify the docket number and be submitted in duplicate. OMB requests comments by November 29, 2002, to process the ICR expeditiously.

FOR FURTHER INFORMATION CONTACT:

Paula R. Robinson, Compliance Program Manager, Office of Motor Carrier Information, K-13, Bureau of Transportation Statistics, 400 Seventh Street, SW., Washington, DC 20590-0001; (202) 366-2984; fax: (202) 366-3364; e-mail: paula.robinson@bts.gov.

SUPPLEMENTARY INFORMATION:

Title: Financial and Operating Statistics for Motor Carriers of Property. *OMB Approval Numbers:* 2139-0002 (Form QFR) and 2139-0004 (Form M).

The Financial and Operating Statistics (F&OS) for Motor Carriers of Property is a collection of annual and quarterly financial and operating statistics data from the motor carrier community. The regulations require motor carriers of property with annual revenues of \$3 million or more to file annual reports, and carriers with annual revenues of \$10 million or more to file quarterly reports with BTS, as required by 49 CFR 1420, Reports of Motor Carriers. The agency ensures that the data and information collected are made publicly available as mandated by Congress (49 U.S.C. 14123).

In accordance with OMB regulations (5 CFR part 1320), each agency that is renewing an information collection activity must notify the public of its intention to renew the collection activity, provide an opportunity for public comment, and notify the public when the agency has sent its information clearance package to OMB.