

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Finance Docket No. 34470]****Norfolk Southern Railway Company—  
Trackage Rights Exemption—Western  
New York & Pennsylvania Railroad,  
LLC**

Pursuant to a trackage rights agreement dated February 10, 2004, between Norfolk Southern Railway Company (NSR) and Western New York & Pennsylvania Railroad, LLC (WNYP), WNYP has agreed to grant NSR overhead trackage rights over a line of railroad between Hornell, NY, and Meadville, PA, mileposts OS332.0–OS394.9, OS395.2–OS414.0, SA1.4–SA47.0, CE0.0–CE13.2, and SA56.3–SA102.3, with ingress and egress rights at Hornell, NY, Olean, NY, Corry, PA, and Meadville, PA, a distance of approximately 186.5 miles.<sup>1</sup>

The transaction was scheduled to be consummated on or after the February 25, 2004, effective date of the exemption.

The purpose of the trackage rights is to allow NSR to efficiently route traffic between Meadville, PA, and Hornell, NY, for further transportation beyond those points and, thereby, reducing the current route through the congested Buffalo, NY terminal area.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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. 34470, 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 John V. Edwards, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA, 23510.

<sup>1</sup> A redacted version of the trackage rights agreement between NSR and WNYP was filed with the notice of exemption. The full version of the agreement, as required by 49 CFR 1180.6(a)(7)(ii), was concurrently filed under seal along with a motion for protective order. A protective order is being served on March 3, 2004.

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

Decided: March 3, 2004.

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

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

[FR Doc. 04–5257 Filed 3–8–04; 8:45 am]

**BILLING CODE 4915 –01–P**

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****[PS–66–93 and PS–120–90]****Proposed Collection; Comment  
Request for Regulation Project**

**AGENCY:** Internal Revenue Service (IRS),  
Treasury.

**ACTION:** Notice and request for  
comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning existing final regulations, PS–66–93 (TD 8609), Gasohol; Compressed Natural Gas, and PS–120–90 (TD 8241), Gasoline Excise Tax (§§ 48.4041–21, 48.4081–2(c)(2), 48.4081–3(d)(2)(iii), 48.4081–3(e)(2)(ii), 48.4081–3(f)(3)(ii), 48.4081–4(b)(2)(ii), 48.4081–4(b)(3)(i), 48–4081–4(c), 48.4081–6(c)(1)(ii), 48.4081–7, and 48.4081–9).

**DATES:** Written comments should be received on or before May 10, 2004, to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn P. Kirkland, Internal Revenue Service, room 6411, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulation should be directed to Carol Savage at Internal Revenue Service, room 6407, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202) 622–3945, or through the Internet at [CAROL.A.SAVAGE@irs.gov](mailto:CAROL.A.SAVAGE@irs.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* PS–66–93, Gasohol;  
Compressed Natural Gas; and PS–120–  
90, Gasoline Excise Tax.

*OMB Number:* 1545–1270.

*Regulation Project Number:* PS–66–93  
and PS–120–90.

*Abstract:* PS–66–93: This regulation relates to gasohol blending and the tax on compressed natural gas (CNG). The sections relating to gasohol blending affect certain blenders, enterers, refiners, and throughputters. The sections relating to CMG affect persons that sell or buy CNG for use as a fuel in a motor vehicle or motorboat. PS–120–90: This regulation relates to the federal excise tax on gasoline. It affects refiners, importers, and distributors of gasoline and provides guidance relating to taxable transactions, persons liable for tax, gasoline blendstocks, and gasohol.

*Current Actions:* Section 48–4081–  
7(d)(3) was removed by TD 8609.

*Type of Review:* Revision of a  
currently approved collection.

*Affected Public:* Business or other for-  
profit organizations; not-for-profit  
institutions; farms; and State, local or  
tribal governments.

*Estimated Number of Respondents:*  
3,410.

*Estimated Time Per Respondent:* 7  
minutes.

*Estimated Total Annual Burden  
Hours:* 366.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation,

maintenance, and purchase of services  
to provide information.

Approved: March 3, 2004.

**Glenn P. Kirkland,**

*IRS Reports Clearance Officer.*

[FR Doc. 04-5295 Filed 3-8-04; 8:45 am]

**BILLING CODE 4830-01-P**