

them were never formally dismissed.<sup>5</sup> On February 20, 2003, Congress removed the prohibition against granting nationwide collective ratemaking authority.<sup>6</sup>

By petition filed on November 5, 2003, SMCRC asks the Board to reopen and to reconsider its prior request for nationwide collective ratemaking authority in light of the repeal of the statutory prohibition against it. SMCRC argues that the Board previously expressed an intent to approve nationwide collective ratemaking authority and would have done so but for the prior statutory prohibition. SMCRC maintains that its request for nationwide authority can be approved on the present record.

On November 25, 2003, the National Small Shipments Traffic Conference, Inc., (NASSTRAC) filed a reply opposing SMCRC's request that the Board approve its application for nationwide authority without seeking new evidence to supplement the record. NASSTRAC states that it has expressed general support for nationwide authority in the past, to promote competition among rate bureaus. However, NASSTRAC argues that the current record is out-of-date, and it urges the Board to consider in detail how the expanded authority sought by SMCRC would affect competition among rate bureaus and collectively set rates.

On December 15, 2003, the United States Department of Transportation (DOT) filed a reply opposing SMCRC's request for nationwide authority. DOT argues that any expansion of the territorial scope of collective ratemaking would be "contrary to the public interest." Alternatively, DOT urges that, if the Board wishes to give SMCRC's request serious consideration, the agency should develop a new record. Similar objections were raised in two other replies filed on the same date by (a) the National Industrial Transportation League and (b) two other rate bureaus (EC-MAC Motor Carriers Service Association, Inc., jointly with the Rocky Mountain Motor Tariff Bureau, Inc.). The two other rate bureaus suggest that the issue of

territorial expansion be resolved in the periodic (5-year) review proceeding that the Board is required to begin again in 2004 to evaluate current bureau agreements under 49 U.S.C. 13703(c)(2).

The Board will reopen the record to seek additional information and comments. The present record is at least 6 years old. Additional information and the opportunity for public comments are needed in light of industry changes, subsequent statutory revisions, and the Board's decisions in *EC-MAC*, cited above. After the comments are received and analyzed, the Board will schedule an oral argument on the issues raised by SMCRC's application.

Board decisions, notices, and filings are available on its Web site at <http://www.stb.dot.gov>.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: March 12, 2004.

By the Board, Chairman Nober.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 04-6192 Filed 3-22-04; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Release of Waybill Data

The Surface Transportation Board has received a request from Michael Behe representing FRN, LLC (WB604-1-3/11/04) for permission to use certain data from the Board's 1999-2001 Carload Waybill Samples. A copy of this request may be obtained from the Office of Economics, Environmental Analysis, and Administration.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics, Environmental Analysis, and Administration within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

**FOR FURTHER INFORMATION CONTACT:** Mac Frampton, (202) 565-1542.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 04-6440 Filed 3-22-04; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Open Meeting of the Area 4 Taxpayer Advocacy Panel (Including the States of Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, and Wisconsin)

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

**ACTION:** Notice.

**SUMMARY:** An open meeting of the Area 4 Taxpayer Advocacy Panel will be conducted. The Taxpayer Advocacy Panel is soliciting public comment, ideas, and suggestions on improving customer service at the Internal Revenue Service.

**DATES:** The meeting will be held Monday, April 19, 2004, 8 a.m. to 3 p.m., and Tuesday, April 20, 8 a.m. to 12 p.m., central daylight time.

**FOR FURTHER INFORMATION CONTACT:** Mary Ann Delzer at 1-888-912-1227, or (414) 297-1604.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. app. (1988) that a meeting of the Area 4 Taxpayer Advocacy Panel will be held Monday, April 19, 2004, 8 a.m. to 3 p.m., and Tuesday, April 20, 8 a.m. to 12 p.m., central daylight time, at the Embassy Suites Hotel Chicago Downtown, 600 North State Street, Chicago, IL 60610. You can submit written comments to the panel by faxing to (414) 297-1623, or by mail to Taxpayer Advocacy Panel, Stop1006MIL, 310 West Wisconsin Avenue, Milwaukee, WI 53203-2221, or you can contact us at [www.improveirs.org](http://www.improveirs.org). This meeting is not required to be open to the public, but because we are always interested in community input, we will accept public comments. Please contact Mary Ann Delzer at 1-888-912-1227 or (414) 297-1604 for more information.

The agenda will include the following: Various IRS issues.

Dated: March 17, 2004.

**Bernard Coston,**

Director, Taxpayer Advocacy Panel.

[FR Doc. 04-6469 Filed 3-22-04; 8:45 am]

**BILLING CODE 4830-01-P**

<sup>5</sup> The only exception was the application of the Niagara Frontier Tariff Bureau, Inc., which was dismissed at its own request in *EC-MAC Motor Carriers Service Association, Inc., Et Al., Sec. 5a* Application No. 118 (Amendment No. 2), *et al.* (STB served Oct. 16, 2003).

<sup>6</sup> See section 354 of the Omnibus Appropriations Act FY 2003, Pub. L. No. 108-7, 117 Stat. 11 (Feb. 20, 2003), H.R. Conf. Rep. No. 108-10 (2003).