

Issued in Washington DC on November 28, 2005.

Florence L. Hamn,

Director of Regulations, Office of Pipeline Safety.

[FR Doc. 05-23547 Filed 12-01-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34754]

Alabama Southern Railroad, Inc.— Lease and Operation Exemption—The Kansas City Southern Railway Company

Alabama Southern Railroad, Inc. (ABS), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from The Kansas City Southern Railway Company (KCS) and operate approximately 85.6 miles of rail line consisting of lines on the (1) Tuscaloosa Subdivision between milepost 17.0 near Columbus, MS, and milepost 78.9 near Tuscaloosa, AL; (2) Warrior Branch between milepost 0.0 at Tuscaloosa, AL, and milepost 9.3 near Fox, AL; and (3) Brookwood Branch between milepost 443.5 at Brookwood Jct., AL, and milepost 429.1 at Brookwood, AL. ABS is also being assigned KSC's overhead trackage rights over a 44.4-mile line of railroad owned by CSX Transportation, Inc., extending between milepost 429.2 at Brookwood, AL, and milepost 384.8 at Birmingham, AL.

ABS certifies that its projected annual revenues as a result of this transaction will not result in it becoming a Class II or Class I rail carrier. Because ABS's projected annual revenues will exceed \$5 million, ABS has certified to the Board on September 7, 2005, that it sent the required notice of the transaction on September 2, 2005, to the national offices of all labor unions representing employees on the line and that it posted a copy of the notice at the workplace of the employees on the affected lines on September 6, 2005. *See* 49 CFR 1150.32(e).

The transaction was expected to be consummated on or shortly after November 20, 2005.

This transaction is related to STB Finance Docket No. 34755, *Watco Companies, Inc.—Continuance in Control Exemption—Alabama Southern Railroad, Inc.*, wherein Watco Companies, Inc. has concurrently filed a verified notice of exemption to continue in control of ABS upon its becoming a rail carrier.

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. 34754, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Karl Morell, Of Counsel, BALL JANIK LLP, Suite 225, 1455 F Street, NW., Washington, DC 20005.

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

Decided: November 23, 2005.

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

Vernon A. Williams,
Secretary.

[FR Doc. 05-23551 Filed 12-1-05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34755]

Watco Companies, Inc.—Continuance in Control Exemption—Alabama Southern Railroad, Inc.

Watco Companies, Inc. (Watco) has filed a verified notice of exemption to continue in control of Alabama Southern Railroad, Inc. (ABS), upon ABS's becoming a Class III rail carrier.¹

The transaction was scheduled to be consummated on or shortly after November 20, 2005.

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 34754, *Alabama Southern Railroad, Inc.—Lease and Operation Exemption—The Kansas City Southern Railway Company*, wherein ABS seeks to acquire by lease from The Kansas City Southern Railway Company (KSC) and operate approximately 85.6 miles of rail line in Mississippi and Alabama. As part of that transaction, ABS is also being assigned KSC's overhead trackage rights over a 44.4-mile line of railroad owned by CSX Transportation, Inc., extending between milepost 429.2 at Brookwood, AL, and milepost 384.8 at Birmingham, AL.

Watco, a noncarrier, is a Kansas corporation that currently controls,

¹ Watco owns 100% of the issued and outstanding stock of ABS.

through stock ownership and management, 15 Class III rail carriers operating in 14 States.

Applicant states that: (1) The lines being leased and operated by ABS do not connect with the rail lines in its corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect the leased lines with any other rail lines in Watco's 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. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the verified 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. 34755, 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 Karl Morell, Of Counsel, Ball Janik LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

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

Decided: November 23, 2005.

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

Vernon A. Williams,
Secretary.

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DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

November 25, 2005.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995,