

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 34806]

Susquehanna Valley Railroad Corporation—Acquisition of Control Exemption—Juniata Valley Railroad Company, Lycoming Valley Railroad Company, Nittany & Bald Eagle Railroad Company, North Shore Railroad Company, Wellsboro & Corning Railroad Company, Union County Industrial Railroad Company, and Shamokin Valley Railroad Company

Susquehanna Valley Railroad Corporation (SVRC), a new noncarrier holding company, has filed a verified notice of exemption to acquire control of seven Class III railroads: Juniata Valley Railroad Company, Lycoming Valley Railroad Company, Nittany & Bald Eagle Railroad Company, North Shore Railroad Company, Wellsboro & Corning Railroad Company, Union County Industrial Railroad Company, and Shamokin Valley Railroad Company. Mr. Richard D. Robey, a noncarrier individual, is the sole shareholder and current owner of each of these Class III railroads. In a related transaction, STB Finance Docket No. 34807, Mr. Robey has obtained an exemption to continue in control of SVRC and Stourbridge Railroad Company, a Class III railroad.

The transaction was scheduled to be consummated on or after January 6, 2006, the effective date of the exemption (7 days after the exemption was filed).¹

SVRC states that this is a corporate family transaction that will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(3).

As a result of this transaction, SVRC will own and control the seven Class III railroads owned by Mr. Robey and Mr. Robey will be the sole shareholder and owner of SVRC. The purpose of the transaction is to create a noncarrier holding company that can provide consolidated administration and management of the seven shortline railroad companies to be acquired by SVRC from Mr. Robey.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to

¹ The notice erroneously indicated a consummation date of January 1, 2006. That date has been corrected here.

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 section 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 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. 34806, 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: Richard R. Wilson, Esq., 127 Lexington Ave, Ste. 100, Altoona, PA 16601.

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

Decided: January 20, 2006.

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

Vernon A. Williams,
Secretary.

[FR Doc. 06-733 Filed 1-26-06; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 34816]

Dakota Northern Railroad, Inc.—Lease and Operation Exemption—Rail Lines of BNSF Railway Company

Dakota Northern Railroad, Inc. (DN), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire by lease and to operate two lines of railroad from BNSF Railway Company (BNSF). The subject lines total 69.79 miles in length and are located in Walsh and Pembina Counties, ND.¹

Specifically, DN will lease and operate: (1) BNSF's entire Walhalla Subdivision, between milepost 0.0, near Grafton, ND, and the end of the line at milepost 48.38, near Walhalla, ND, a distance of approximately 48.38 miles; and (2) a portion of BNSF's Glasston Subdivision, between the clearance

¹ On January 11, 2006, a correction was received from DN to its verified notice of exemption filed on December 30, 2005, to reflect that BNSF's Glasston Subdivision was located at milepost 60.20, not milepost 61.23, and that the total length of the two rail lines was 69.79, instead of 70.82.

point of the turnout located at milepost 38.79, near Grafton, ND, and the end of the line at milepost 60.20, near Glasston, ND, a distance of approximately 21.41 miles.

This transaction is related to STB Finance Docket No. 34817, *KBN, Inc.—Continuance in Control Exemption—Dakota Northern Railroad, Inc.*, wherein KBN, Inc. (KBN), has filed a notice of exemption to continue in control of DN upon DN's becoming a Class III rail carrier.

DN certifies that its projected revenues as a result of the transaction will not exceed those that would qualify it as a Class III carrier. The transaction was scheduled to be consummated on or about January 18, 2006.²

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. 34816, 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 Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604.

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

Decided: January 23, 2006.

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

Vernon A. Williams,
Secretary.

[FR Doc. E6-1039 Filed 1-26-06; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Finance Docket No. 34817]

KBN, Inc.—Continuance in Control Exemption—Dakota Northern Railroad, Inc.

KBN, Inc. (KBN), a noncarrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Dakota Northern Railroad, Inc. (DN), upon DN's becoming a Class III rail carrier.

² In DN's correction received on January 11, 2006, DN indicated that the proposed lease and operation agreement would not be consummated until 7 days or more after the filing of the correction to the verified notice.

The transaction was scheduled to be consummated on or after January 18, 2006.¹

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 34816, *Dakota Northern Railroad, Inc.—Lease and Operation Exemption—BNSF Railway Company*. In that proceeding, DN seeks to acquire by lease from BNSF Railway Company (BNSF) and operate approximately 69.79 miles of rail line in Walsh and Pembina Counties, ND, specifically: (1) The entire BNSF Walhalla Subdivision, between milepost 0.0 near Grafton, ND, and the end of the line at milepost 48.38, near Walhalla, ND, a distance of approximately 48.38 miles; and (2) a portion of BNSF's Glasston Subdivision, between the clearance point of the turnout located at milepost 38.79, near Grafton, ND, and the end of the line at milepost 60.20, near Glasston, ND, a distance of approximately 21.41 miles.²

KBN is a noncarrier that currently controls two Class III rail carriers: The Minnesota Northern Railroad, Inc. (MNR), and St. Croix Valley Railroad Company (SCVR). DN will operate wholly within North Dakota. MNR and SCVR presently operate wholly within Minnesota.

KBN states that: (1) The rail lines operated by MNR and SCVR do not connect with the rail lines being leased by DN; (2) the continuance in control is not part of a series of anticipated transactions that would connect the rail lines of MNR, SCVR and DN with each other or with any railroads in their corporate family; and (3) neither DN nor any of the carriers controlled by KBN are Class I or Class II rail carriers. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2). The purpose of the transaction is to achieve operating economies, to improve rail service to the public, and to improve the financial viability of the commonly controlled rail carriers.

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

¹ Although KBN indicated that this transaction would be consummated no earlier than 7 days after the filing of its notice of exemption, DN, in STB Finance Docket No. 34816, indicated that the lease and operating agreement would not be consummated until January 18, 2006 (7 days after DN filed a correction to its notice of exemption).

² By letter received on January 11, 2006, DN corrected its verified notice to reflect the mileposts listed herein.

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. 34817, 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 Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604.

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Decided: January 23, 2006.

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

Vernon A. Williams,

Secretary.

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DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network; Proposed Collection; Comment Request; Suspicious Activity Report by Casinos and Card Clubs

AGENCY: Financial Crimes Enforcement Network.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, the Financial Crimes Enforcement Network invites comment on a proposed information collection contained in a revised form, "Suspicious Activity Report by Casinos and Card Clubs, Financial Crimes Enforcement Network Form 102." The form will be used by casinos and card clubs to report suspicious activity to the Department of the Treasury. This request for comments is being made pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13, 44 U.S.C. 3506(c)(2)(A).

DATES: Written comments are welcome and must be received on or before March 28, 2006.

ADDRESSES: Written comments should be submitted to: Financial Crimes

Enforcement Network, Department of the Treasury, P.O. Box 39, Vienna, Virginia 22183, Attention: Paperwork Reduction Act Comments—Suspicious Activity Report by Casinos Form. Comments also may be submitted by electronic mail to the following Internet address: regcomments@fincen.treas.gov, again with a caption, in the body of the text, "Attention: Paperwork Reduction Act Comments—Suspicious Activity Report by Casinos Form."

Inspection of comments. Comments may be inspected, between 10 a.m. and 4 p.m., in the Financial Crimes Enforcement Network reading room in Washington, DC. Persons wishing to inspect the comments submitted must request an appointment by telephoning (202) 354-6400.

FOR FURTHER INFORMATION CONTACT: Regulatory Policy and Programs Division, at (800) 949-2732.

SUPPLEMENTARY INFORMATION:

Title: Suspicious Activity Report by Casinos and Card Clubs.

OMB Number: 1506-0006.

Form Number: Financial Crimes Enforcement Network Form 102.

Abstract: The statute generally referred to as the "Bank Secrecy Act," Titles I and II of Public Law 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5331, authorizes the Secretary of the Treasury, inter alia, to require financial institutions to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, or in the conduct of intelligence or counter-intelligence activities, to protect against international terrorism, and to implement counter-money laundering programs and compliance procedures.¹ Regulations implementing Title II of the Bank Secrecy Act appear at 31 CFR Part 103. The authority of the Secretary of the Treasury to administer the Bank Secrecy Act has been delegated to the Director of the Financial Crimes Enforcement Network.

The Secretary of the Treasury was granted authority in 1992, with the enactment of 31 U.S.C. 5318(g), to require financial institutions to report suspicious transactions.

The information collected on this revised form is required to be provided pursuant to 31 U.S.C. 5318(g) and 31 CFR 103.21. This information will be

¹ Language expanding the scope of the Bank Secrecy Act to intelligence or counter-intelligence activities to protect against international terrorism was added by section 358 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (the "USA Patriot Act"), Pub. L. 107-56.