

**Authority:** 49 U.S.C. 60118(c)(1) and 49 CFR 1.53.

Issued in Washington, DC, on April 19, 2007.

**Joy Kadnar,**

*Director, Office of Engineering and Emergency Support.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35011]

#### Wisconsin & Southern Railroad Company—Trackage Rights Exemption—Soo Line Railroad Company d/b/a Canadian Pacific Railway

Pursuant to a written trackage rights agreement, Soo Line Railroad Company d/b/a Canadian Pacific Railway (CPR) has agreed to grant nonexclusive overhead trackage rights to Wisconsin & Southern Railroad Company (WSOR) over a line of railroad between the connection of WSOR with CPR's Watertown Subdivision at milepost 93.20 in North Milwaukee, WI, and the connection of CPR and the Northeast Illinois Regional Commuter Railroad Corporation<sup>1</sup> on CPR's C&M Subdivision at milepost 32.3 at Rondout, IL.<sup>2</sup>

The transaction is scheduled to be consummated on or after the May 10, 2007 effective date of the exemption (30 days after the exemption was filed).<sup>3</sup>

The purpose of the trackage rights is to enable WSOR to handle more efficiently existing movements of specific traffic between Chicago, IL, and North Milwaukee by reducing trip mileage, time, crew costs, fuel consumption, and equipment costs.

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

<sup>1</sup> In its pleadings, WSOR refers to this entity at METRA.

<sup>2</sup> With its verified notice of exemption, WSOR filed a redacted version of its trackage rights agreement with CPR. As required by 49 CFR 1180.6(a)(7)(ii), WSOR concurrently filed an unredacted version of the agreement, along with a motion for protective order to protect the confidential document. A protective order in this proceeding was served on April 20, 2007.

<sup>3</sup> In the verified notice, although WSOR proposes to consummate on or about May 9, 2007, WSOR clearly states its intent to consummate "after the conclusion of the 30[-]day waiting period required by the Board's trackage rights exemption regulations."

*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 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 effectiveness of the exemption. Stay petitions must be filed by May 3, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35011, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on John D. Heffner, John D. Heffner, PLLC, 1920 N Street, NW., Suite 800, Washington, DC 20036.

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

Decided: April 20, 2007.

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

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

[FR Doc. E7-8010 Filed 4-25-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 633X)]

#### CSX Transportation, Inc.—Abandonment Exemption—in Genesee County, MI

On April 6, 2007, CSX Transportation, Inc. (CSXT) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a 1.78-mile line of railroad in its Northern Region, Chicago Division, Saginaw Subdivision, extending from Valuation Station 9195+50 to Valuation Station 9289+36, known as the Old Mainline in Atwood Yard, in the cities of Flint and Burton, in Genesee County, MI. The line traverses United States Postal Service Zip Codes 48503 and 48529, and includes no stations.

In addition to an exemption from the prior approval requirements of 49 U.S.C. 10903, CSXT seeks exemption from 49 U.S.C. 10904 [offer of financial assistance (OFA) procedures]. In support, CSXT states that it intends to reclassify the track as excepted track and sell or lease it to Clean Harbors

Environmental Services, formerly known as Safety Kleen Industries, the only shipper on the line. According to CSXT, the line is no longer needed for common carrier service, and the shipper wants to acquire a portion of the line to switch and store its cars within its facility without incurring a common carrier obligation. This request will be addressed in the final decision.

The line does not contain federally granted rights-of-way. Any documentation in CSXT's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by July 25, 2007.

Any OFA under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,300 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than May 16, 2007. Each trail use request must be accompanied by a \$200 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-55 (Sub-No. 633X), and must be sent to: (1) Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001; and (2) Steven C. Armbrust, 500 Water Street—J150, Jacksonville, FL 32202. Replies to the petition are due on or before May 16, 2007.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 245-0230 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 245-0305. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who