

declaratory order proceeding will be instituted in this proceeding to address these issues. To facilitate BNSF's request for expedition, BNSF will be permitted to supplement its petition by October 17, 2008. Any person seeking to reply in support of, or in opposition to, BNSF's position may submit written comments to the Board by November 6, 2008. Because there is already a substantial record in this proceeding, the parties are directed to focus their comments on the issue of whether these two planned projects are merely track relocations not requiring Board authorization or whether they would remove service to shippers and/or extend BNSF's operations into new territory. Both the continued ability to serve Boardman and any specific new territory that could be served should be identified and addressed. Additionally, concerning service to shippers on the eastern segment, BNSF is specifically directed to submit a statement from ODOT confirming that its contractor is obligated to construct both a new railroad bridge to elevate the Red Rock Subdivision over the planned location of the new highway and new industry tracks to connect Producers and Mid-States directly to the Red Rock Subdivision.

In the meantime, Mr. Kessler has not shown that his requests for injunctive relief should be entertained in this declaratory order proceeding. Mr. Kessler says that, with the request for a locomotive shipment, Boardman was "testing" BNSF's ability to serve Boardman.<sup>5</sup> But Boardman is not before us complaining that a locomotive was not delivered, or that BNSF has failed to meet any reasonable request for service. Indeed, according to BNSF, Boardman refused delivery of the shipment by transload, explaining that the car was ordered for political reasons. The Board will not order injunctive relief where the supposedly aggrieved shipper does not even appear before the agency, and certainly will not do so where, as here, the moving party has not provided any verified evidence. Any party aggrieved by a service failure may file a complaint and seek appropriate relief. Finally, because BNSF has had an opportunity to respond to Mr. Kessler's September 5 pleading, the Board will not strike it.

Board decisions, notices, and filings in this and other Board proceedings are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 1, 2008.

<sup>5</sup> Kessler's Reply to BNSF's Amendment to Petition at 11.

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

**Anne K. Quinlan,**  
*Acting Secretary.*

[FR Doc. E8-23616 Filed 10-6-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Open Meeting of the President's Advisory Council on Financial Literacy

**AGENCY:** Office of Financial Education,  
Treasury.

**ACTION:** Notice of meeting; amendment.

**SUMMARY:** The President's Advisory Council on Financial Literacy will convene its fifth meeting on Tuesday, October 14, 2008, in the Cash Room of the Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC, beginning at 2 p.m. Eastern Time. The meeting will be open to the public. This notice amends a meeting announcement published on Tuesday, September 30, 2008.

**DATES:** The meeting will be held on Tuesday, October 14, 2008, at 2 p.m. Eastern Time.

**ADDRESSES:** The President's Advisory Council on Financial Literacy will convene its fifth meeting in the Cash Room of the Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC.

**SUBMISSION OF WRITTEN COMMENTS:** The public is invited to submit written statements with the President's Advisory Council on Financial Literacy by any one of the following methods:

#### Electronic Statements

E-mail  
[FinancialLiteracyCouncil@do.treas.gov](mailto:FinancialLiteracyCouncil@do.treas.gov);  
or

#### Paper Statements

Send paper statements in triplicate to President's Advisory Council on Financial Literacy, Office of Financial Education, Room 1332, Department of the Treasury, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

In general, the Department will post all statements on its Web site (<http://www.treas.gov/offices/domestic-finance/financial-institution/financial-education/council/index.shtml>) without change, including any business or personal information provided such as names, addresses, e-mail addresses, or telephone numbers. The Department will make such statements available for public inspection and copying in the Department's library, Room 1428, Main Department Building, 1500 Pennsylvania Avenue, NW.,

Washington, DC 20220, on official business days between the hours of 10 a.m. and 5 p.m. You can make an appointment to inspect statements by telephoning (202) 622-0990. All statements, including attachments and other supporting materials, received are part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly.

#### FOR FURTHER INFORMATION CONTACT:

Edwin Bodensiek, Director of Outreach, Department of the Treasury, Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, at [ed.bodensiek@do.treas.gov](mailto:ed.bodensiek@do.treas.gov).

#### SUPPLEMENTARY INFORMATION:

In accordance with section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. and the regulations thereunder, Dubis Correal, Designated Federal Officer of the Advisory Council, has ordered publication of this notice that the President's Advisory Council on Financial Literacy will convene its fifth meeting on Tuesday, October 14, 2008, in the Cash Room in the Main Department Building, 1500 Pennsylvania Avenue, NW., Washington, DC, beginning at 2 p.m. Eastern Time. Due to exceptional circumstances at the U.S. Department of the Treasury at this time concerning the economy, this Notice is being published with less than the required 15 days' notice. The meeting will be open to the public. Because the meeting will be held in a secured facility, members of the public who plan to attend the meeting must contact the Office of Financial Education at 202-622-1783 or [FinancialLiteracyCouncil@do.treas.gov](mailto:FinancialLiteracyCouncil@do.treas.gov) by 5 p.m. Eastern Time on Friday, October 10, 2008, to inform the Department of their desire to attend the meeting and to provide the information that will be required to facilitate entry into the Main Department Building. To enter the building, attendees should e-mail the Department their full name, date of birth, social security number, organization, and country of citizenship. The purpose of this meeting is for the President's Advisory Council on Financial Literacy to discuss new agenda items, update the President's Advisory Council on Financial Literacy on the work of the committees and follow up on issues from previous meetings.

Dated: September 26, 2008.

**Taiya Smith,**

*Executive Secretary, Treasury Department.*

[FR Doc. E8-23650 Filed 10-6-08; 8:45 am]

**BILLING CODE 4811-42-P**