

Dated: September 25, 2009.

**Penny Pickett,**

*Associate Administrator for Entrepreneurial Development.*

[FR Doc. E9-23538 Filed 9-29-09; 8:45 am]

**BILLING CODE 8025-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Extension of Existing Collection; Comment Request

Upon written request, copies available from: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0123.

*Extension:* Rule 17a-25, OMB Control No. 3235-0540, SEC File No. 270-482.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the existing collection of information provided for in the following rule: Rule 17a-25 (17 CFR 240.17a-25) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) ("Exchange Act").

Paragraph (a)(1) of Rule 17a-25 requires registered broker-dealers to electronically submit securities transaction information, including identifiers for prime brokerage arrangements, average price accounts, and depository institutions, in a standardized format when requested by the Commission staff. In addition, paragraph (a)(3)(c) of Rule 17a-25 requires broker-dealers to submit, and keep current, contact person information for electronic blue sheet ("EBS") requests. The Commission uses the information for enforcement inquiries or investigations and trading reconstructions, as well as for inspections and examinations.

The Commission estimates that it sends approximately 5168 electronic blue sheet requests per year to clearing broker-dealers, who in turn submit an average 79,992 responses.<sup>1</sup> It is estimated that each broker-dealer who responds electronically will take 8 minutes, and each broker-dealer who responds manually will take 1½ hours to prepare and submit the securities

<sup>1</sup> A single EBS request has a unique number assigned to each request (e.g., "0900001"). However, the number of broker-dealer responses generated from one EBS request can range from one to several hundred. EBS requests are sent directly to clearing firms, as the clearing firm is the repository for trading data for securities transactions information provided by itself and correspondent firms. Clearing brokers respond for themselves and other firms they clear for.

trading data requested by the Commission. The annual aggregate hour burden for electronic and manual response firms is estimated to be 10,786 (79,992 × 8 ÷ 60 = 10,666 hours) + (80 × 1.5 = 120 hours), respectively.<sup>2</sup> In addition, the Commission estimates that it will request 500 broker-dealers to supply the contact information identified in Rule 17a-25(c) and estimates the total aggregate burden hours to be 125. Thus, the annual aggregate burden for all respondents to the collection of information requirements of Rule 17a-25 is estimated at 10,911 hours (10,786 + 125).

*Written comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Comments should be directed to Charles Boucher, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

September 23, 2009.

**Florence E. Harmon,**  
*Deputy Secretary.*

[FR Doc. E9-23492 Filed 9-29-09; 8:45 am]

**BILLING CODE 8010-01-P**

## DEPARTMENT OF STATE

### [Public Notice 6774]

#### Bureau of Political-Military Affairs: Directorate of Defense Trade Controls; Notifications to the Congress of Proposed Commercial Export Licenses

**SUMMARY:** Notice is hereby given that the Department of State has forwarded the attached Notifications of Proposed

<sup>2</sup> Few of respondents submit manual EBS responses. The small percentage of respondents that submit manual responses do so by hand, via e-mail, spreadsheet, disk, or other electronic media. Thus, the number of manual submissions (80) has minimal effect on the total annual burden hours.

Export Licenses to the Congress on the dates indicated on the attachments pursuant to sections 36(c) and 36(d) and in compliance with section 36(f) of the Arms Export Control Act (22 U.S.C. 2776).

**DATES:** *Effective Date:* As shown on each of the 16 letters.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert S. Kovac, Managing Director, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 663-2861.

**SUPPLEMENTARY INFORMATION:** Section 36(f) of the Arms Export Control Act mandates that notifications to the Congress pursuant to sections 36(c) and 36(d) must be published in the **Federal Register** when they are transmitted to Congress or as soon thereafter as practicable.

August 6, 2009 (Transmittal No. DDTC 020-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the transfer of technical data, defense services, and hardware to support the Proton launch of the NSS-14 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 050-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 3(d) (5) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed transfer of technical data, defense services, and defense articles in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the sale of seven (7) C-27J Spartan Aircraft from Alenia Aeronautica S.p.A. to the Government of Romania. The transfer will include U.S. origin content, technical data, spare parts, and ground support equipment.

The United States Government is prepared to license the transfer of these items having

taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 054-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 3(d) (3) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed transfer of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the sale of four (4) C-27J Spartan Aircraft from Alenia Aeronautica S.p.A. to the Government of the Kingdom of Morocco. The transfer will include U.S. origin content, technical data, spare parts, and ground support equipment.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 056-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, including technical data, and defense services for the manufacture and overhaul of hydraulic steering systems for X300 transmissions of ground vehicles in the United Kingdom.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause

competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

July 31, 2009 (Transmittal No. DDTC 065-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed amendment to expand the sales territory associated with a manufacturing license agreement for the production of significant military equipment in the Republic of Korea.

The transaction contained in the attached certification involves the export of defense articles, including technical data and defense services, to support the manufacture of T-50 Military Trainer Aircraft in the Republic of Korea, as well as the subsequent transfer of technical data to support marketing of the T-50 Trainer within an authorized sales territory.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

July 31, 2009 (Transmittal No. DDTC 068-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles and defense services for the design and development of the command and control system as part of the Canadian Halifax Class Modernization Program for end-use by the Canadian Ministry of Defence.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 076-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad.

The transaction contained in the attached certification involves the transfer of technical data, defense services, and hardware to Japan for the manufacture of the Universal Turret System, M197 Gun, and M8E91 Feeder for the AH-1S Helicopter.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 077-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, defense services, and defense articles to Thailand related to the sale of three S-92A helicopters to the Royal Thai Air Force.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,

*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 078-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the transfer of technical data, defense services and hardware to the United Kingdom for the design, manufacture, and delivery of the QuetzSat-1 Commercial Communication Satellite.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 080-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the transfer of technical data, defense services, and hardware to support the Proton launch of the ViaSat-1 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 082-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for export of technical data, defense services, and defense articles in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles and defense services for the manufacture of Tomahawk Cruise Missile Subassemblies for end-use by the U.S. Navy.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 083-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) and 36(d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense services and defense articles in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the transfer of technical data, defense services, and hardware to Japan to support the manufacture of Chukar II and Chukar III Aerial Target Systems for the Ministry of Defense of Japan.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 084-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the export of technical data, defense services, and defense articles in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles and defense services for the manufacture of Power Amplifier Modules and High Voltage Power Supplies for the AN/TQP-36 and AN/TQP-37 Firefinder Radars, and the AN/MPQ-64 Sentinel Radar for end-use by the U.S. government.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 085-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles and defense services related to the Laser Based Directional Infrared Countermeasures System for end-use by the United Kingdom Ministry of Defence.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 090-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed Technical Assistance Agreement for the export of technical data, defense services, and defense articles in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles, technical data, and defense services related to the delivery and support of five Sentinel Radars and two Sentry Command and Control Systems for end-use by the Mexican Navy.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
*Assistant Secretary Legislative Affairs.*

August 6, 2009 (Transmittal No. DDTC 098-09.)

Hon. Nancy Pelosi, Speaker of the House of Representatives.

Dear Madam Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed permanent export license for the export of defense articles and technical data related to firearms in the amount of \$1,000,000 or more.

The transaction contained in the attached certification involves the export of defense articles and technical data related to sale of 394 Colt Infantry Automatic Rifles for use by the Mexican Navy.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Richard R. Verma,  
Assistant Secretary Legislative Affairs.

Dated: September 16, 2009.

**Robert S. Kovac,**  
Managing Director, Directorate of Defense Trade Controls, Department of State.  
[FR Doc. E9-23585 Filed 9-29-09; 8:45 am]

**BILLING CODE 4710-25-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA-2009-0001-N-24]

#### Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Federal Railroad Administration, DOT.

**ACTION:** Notice and Request for Comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requirement (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following collection of information was published on July 24, 2009 (74 FR 36807).

**DATES:** Comments must be submitted on or before October 30, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Brogan, Office of Planning and Evaluation Division, RRS-21, Federal Railroad Administration, 1200 New

Jersey Ave., SE., Mail Stop 17, Washington, DC 20590 (telephone: (202) 493-6292), or Ms. Nakia Jackson, Office of Information Technology, RAD-20, Federal Railroad Administration, 1200 New Jersey Ave., SE., Mail Stop 35, Washington, DC 20590 (telephone: (202) 493-6470). (These telephone numbers are not toll-free.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law No. 104-13, § 2,109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to issue two notices seeking public comment on information collection activities before OMB may approve paperwork packages. 44 U.S.C. 3506, 3507; 5 CFR 1320.5, 1320.8(d)(1), 1320.12. On July 24, 2009, FRA published a 60-day notice in the **Federal Register** soliciting comment on the ICR that the agency was seeking OMB approval. 74 FR 36807. FRA received no comments in response to this notice.

Before OMB decides whether to re-approve this proposed collection of information, it must provide 30 days for public comment. 44 U.S.C. 3507(b); 5 CFR 1320.12(d). Federal law requires OMB to approve or disapprove paperwork packages between 30 and 60 days after the 30-day notice is published. 44 U.S.C. 3507(b)-(c); 5 CFR 1320.12(d); *see also* 60 FR 44978, 44983, Aug. 29, 1995. OMB believes that the 30-day notice informs the regulated community to file relevant comments and affords the agency adequate time to digest public comments before it renders a decision. 60 FR 44983, Aug. 29, 1995. Therefore, respondents should submit their respective comments to OMB within 30 days of publication to best ensure having their full effect. 5 CFR 1320.12(c); *see also* 60 FR 44983, Aug. 29, 1995.

The summary below describes the nature of the information collection requirement (ICR) and the expected burden. The ICR is being submitted for clearance by OMB as required by the PRA.

*Title:* State Safety Participation Regulations and Remedial Actions.

*OMB Control Number:* 2130-0509.

*Type of Request:* Extension of a currently approved collection.

*Affected Public:* Businesses.

*Form(s):* FRA F 6180.33; FRA F 6180.61; FRA F 6180.67; FRA F 6180.96/96A; FRA F 6180.109; FRA F 6180.110; FRA F 6180.111; FRA F 6180.112.

*Abstract:* The collection of information is set forth under 49 CFR

Part 212, and requires qualified state inspectors to provide various reports to FRA for monitoring and enforcement purposes concerning state investigative, inspection, and surveillance activities regarding railroad compliance with Federal railroad safety laws and regulations. Additionally, railroads are to report to FRA actions taken to remedy certain alleged violations of law.

*Annual Estimated Burden Hours:* 10,748.

*Addresses:* Send comments regarding these information collections to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC, 20503; Attention: FRA Desk Officer. Comments may also be sent via e-mail to OMB at the following address:

*oira\_submissions@omb.eop.gov.*

*Comments are invited on the following:* Whether the proposed collections of information are necessary for the proper performance of the functions of FRA, including whether the information will have practical utility; the accuracy of FRA's estimates of the burden of the proposed information collections; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collections of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

**Authority:** 44 U.S.C. 3501-3520.

Issued in Washington, DC on September 24, 2009.

**Kimberly Orben,**

Director, Office of Financial Management, Federal Railroad Administration.

[FR Doc. E9-23541 Filed 9-29-09; 8:45 am]

**BILLING CODE 4910-06-P**

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 27590 (Sub-No. 3)]

#### TTX Company, et al.—Application for Approval of Pooling of Car Service With Respect to Flatcars

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of request for comments.

**SUMMARY:** In its decision in this proceeding served on August 31, 2004 (August 2004 decision), the Surface Transportation Board provided for the