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

It is ordered:
1. The delegation of authority of the Office of Proceedings, under 49 CFR 1011.7(b)(10), to determine whether to issue a notice of exemption in this proceeding is revoked.
2. This decision is effective on the date of service.

Decided: September 13, 2010.

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Nottingham. Vice Chairman Mulvey dissented with a separate expression.

Vice Chairman Mulvey, dissenting:

Once again, I must disagree with the Board’s decision to allow a transaction containing a significant interchange commitment to be processed under the Board’s class exemption procedures at 49 CFR 1150.41. I believe that it is incumbent for the Board to take a close look at interchange commitments before permitting them to become effective, particularly when they contain outright bans on interchange with third-party carriers or, as here, economic incentives that can only be evaluated with the provision of additional information.

Here, M&NJ seeks authorization to lease or sublease approximately 36 miles from NSR. As disclosed in the M&NJ’s Verified Notice of Exemption, the lease agreement contains an interchange commitment that gives M&NJ a “credit” toward its annual lease payment for every car that it interchanges with NSR at Campbell Hall, NY. But the notice of exemption and supporting documents do not explain (1) whether the “credit” is so large vis-à-vis the projected carloads and annual lease payment as to eliminate any incentive by M&NJ to interchange with a third-party carrier, (2) how many shippers and carloads will be impacted by the interchange commitment, (3) and what competitive routing options are being foreclosed during the term of the lease. I believe that all of this information, which would be obtained through the Board’s more detailed application or a petition for exemption procedures, is necessary to understand the impact of this new lease.

The trickles of transactions with interchange commitments since the Board’s 2008 interchange commitment disclosure rules were adopted has turned into a steady drip. Although the disclosure rules were an important first step to regulating interchange commitments, I urge my colleagues to closely scrutinize newly proposed long-term leases that will shape competition in the rail industry for years to come.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2010–23147 Filed 9–15–10; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

RTCA NextGen Advisory Committee (NAC)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of RTCA NextGen Advisory Committee (NAC)

SUMMARY: The FAA published a Notice in the Federal Register on September 3, 2010 (75–FR–54221), concerning a Notice to advise the public of a meeting of RTCA NextGen Advisory Committee. The Agenda in that notice has been revised.

DATES: The meeting will be held September 23, 2010, from 8:30 a.m. to 11:30 a.m.

ADDRESSES: The meeting will be held at Bessie Coleman Room, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. Metro: L’Enfant Plaza Station (Use 7th & Maryland Exit).

FOR FURTHER INFORMATION CONTACT:

Jeffrey Aponte de la Torre, Clearing Clerk. 410–675–8375.

[FR Doc. 2010–23071 Filed 9–15–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

Notice of Passenger Facility Charge (PFC) Approvals and Disapprovals

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Monthly Notice of PFC Approvals and Disapprovals. In August 2010, there were two applications approved. This notice also includes information on one application, approved in July 2010, inadvertently left off the July 2010 notice. Additionally, three approved amendments to previously approved applications are listed.

SUMMARY: The FAA publishes a monthly notice, as appropriate, of PFC approvals and disapprovals under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This notice is published pursuant to paragraph d of §158.29.

PFC Applications Approved

Public Agency: Puerto Rico Ports Authority, San Juan, Puerto Rico.

Application Number: 09–06-C–00–SJC.

Application Type: Impose and use a PFC.

PFC Level: $3.00.

Total PFC Revenue Approved in This Decision: $19,713,152.

Earliest Charge Effective Date: August 1, 2031.

Estimated Charge Expiration Date: March 1, 2033.

Class of Air Carriers Not Required To Collect PFCs: None.

Brief Description of Project Approved for Collection at Luis Munoz Marin International Airport (SJU) and Use at SJU at a $3.00 PFC Level: PFC application development.

Brief Description of Projects Approved for Collection at SJU and Use at Jose Aponte de la Torre Airport at a $3.00 PFC Level: Phase 0 construction—terminal facility.
Rehabilitation of airfield guidance signage.
Rehabilitation of taxiway lighting system.
Pavement rehabilitation of runway 7/25 and taxiways.
Airfield pavement markings.

Decision Date: July 22, 2010.
For Further Information Contact:
Susan Moore, Orlando Airports District Office, (407) 812–6331.
Application Number: 10–11–C–00–BLI.
Application Type: Impose and use a PFC.

Total PFC Revenue Approved in This Decision: $30,250,000.
PFC Level: $4.50.
Earliest Charge Effective Date: October 1, 2010.
Estimated Charge Expiration Date: October 1, 2027.
Class of Air Carriers Not Required To Collect PFCs: None.

<table>
<thead>
<tr>
<th>Amendment No.</th>
<th>City, State</th>
<th>Amendment approved date</th>
<th>Original approved net PFC revenue</th>
<th>Amended approved net PFC revenue</th>
<th>Original estimated charge exp. date</th>
<th>Amended estimated charge exp. date</th>
</tr>
</thead>
<tbody>
<tr>
<td>98–05–C–05–MCO Orlando, FL</td>
<td>08/03/10</td>
<td>$119,178,876</td>
<td>$114,471,533</td>
<td>10/01/00</td>
<td>10/01/00</td>
<td></td>
</tr>
<tr>
<td>06–06–C–02–SAV Savannah, GA</td>
<td>08/04/10</td>
<td>4,480,700</td>
<td>4,490,100</td>
<td>03/01/13</td>
<td>03/01/13</td>
<td></td>
</tr>
<tr>
<td>03–04–C–09–PIT Pocatello, ID</td>
<td>08/10/10</td>
<td>294,313</td>
<td>302,926</td>
<td>04/01/08</td>
<td>04/01/08</td>
<td></td>
</tr>
</tbody>
</table>

Issued in Washington, DC on September 3, 2010.
Joe Hebert,
Manager, Financial Analysis and Passenger Facility Charge Branch.

DEPARTMENT OF TRANSPORTATION
Maritime Administration

[Docket No. MARAD–2010–0081]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.
ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel SEA SENORA.

SUMMARY: As authorized by 46 U.S.C. 12121, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below. The complete application is given in DOT docket MARAD–2010–0081 at http://www.regulations.gov. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388 (68 FR 23084; April 30, 2003), that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments.

Determination: Approved. Based on information contained in the public agency’s application, the FAA has determined that each proposed class accounts for less than 1 percent of the total annual enplanements at Lubbock–Preston Smith International Airport.

Brief Description of Projects Approved for Collection and Use:

1. Runway 8/26 improvements—phase I
2. Runway 8/26 improvements—phase II
3. Replace passenger loading bridges.

FOR FURTHER INFORMATION CONTACT:

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SEA SENORA is:

"Intended commercial use of vessel: “Sport Fishing Charter, Fish caught will not be sold commercially.”"

GEOGRAPHIC REGION: “Texas.”