

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2011-5639 Filed 3-10-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35469]

#### Juniata Valley Railroad Company— Operation Exemption—SEDA—COG Joint Rail Authority

Juniata Valley Railroad Company (JVRR), a Class III carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate approximately 2.0 miles of track, known as the West Park Industrial Track, extending between milepost 0.0 and milepost 2.0 in Lewistown, Mifflin County, Pa. The line is owned or leased by SEDA—COG Joint Rail Authority (SEDA—COG). JVRR states that the line it proposes to operate is an extension of its existing line of railroad it operates for SEDA—COG and that it will amend its agreement dated December 13, 2006, with SEDA—COG to provide common carrier rail service to multiple shippers on this extended line of railroad.<sup>1</sup>

JVRR indicates that it intends to interchange traffic with the Norfolk Southern Railway Company and/or Canadian Pacific Railway Company. JVRR also indicates that there are no interchange commitments in the operating agreement between it and SEDA—COG nor will there be any in the interchange agreements between JVRR and its connecting carriers as a result of this transaction.

The proposed transaction is scheduled to be consummated on or after March 27, 2011, the effective date of the exemption (30 days after this exemption was filed).

<sup>1</sup> While not submitted with the verified notice of exemption here, the operating agreement between SEDA—COG and JVRR has recently been filed at the Board in *Susquehanna Union R.R.—Control Exemption—N. Shore R.R., Nittany & Bald Eagle R.R., Shamokin Valley R.R., Juniata Valley R.R., Lycoming Valley R.R., and Union Cnty. Indus. R.R.*, FD 35343, Pet. for Exemption Ex. B, Apr. 12, 2010. The parties are reminded that once the operator obtains Board authorization to provide common carrier rail service over a line, the common carrier obligation continues, notwithstanding any term of the parties' agreement, including term limitations and termination rights, unless and until the Board grants the appropriate discontinuance or abandonment authority. 49 U.S.C. 10903; *Chicago & N. W. Transp. Co. v. Kalo Brick & Tile Co.*, 450 U.S. 311, 320 (1981); *Pittsburgh & Shawmut R.R.—Abn. Exemption—in Armstrong and Jefferson Counties, Pa.*, AB 976X, slip op. at 1 (STB served Sept. 15, 2005).

JVRR certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

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 no later than March 18, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35469, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Richard R. Wilson, Esq., 518 N. Center Street, Suite 1, Ebensburg, PA 15931.

Board decisions and notices are available on our Web site at "[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV)."

Decided: March 8, 2011.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2011-5640 Filed 3-10-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35471]

#### Nittany Bald and Eagle Railroad Company—Operation Exemption—SEDA— COG Joint Rail Authority

Nittany Bald and Eagle Railroad Company (N&BE), a Class III carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate approximately 1.8 miles of track, known as the Castanea Branch, extending between milepost 0.0 and milepost 1.8 in Castanea, Clinton County, Pa. The line is owned or leased by SEDA—COG Joint Rail Authority (SEDA—COG). N&BE states that the line it proposes to operate is an extension of its existing line of railroad it operates for SEDA—COG and that it will amend its agreement dated December 13, 2006, with SEDA—COG to provide common carrier rail service to multiple shippers on this extended line of railroad.<sup>1</sup>

<sup>1</sup> While not submitted with the verified notice of exemption here, the operating agreement between

N&BE indicates that it intends to interchange traffic with the Norfolk Southern Railway Company and/or Canadian Pacific Railway Company. N&BE also indicates that there are no interchange commitments in the operating agreement between it and SEDA—COG nor will there be any in the interchange agreements between N&BE and its connecting carriers as a result of this transaction.

The proposed transaction is scheduled to be consummated on or after March 27, 2011, the effective date of the exemption (30 days after this exemption was filed).

N&BE certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues would not exceed \$5 million.

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 no later than March 18, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35471, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Richard R. Wilson, Esq., 518 N. Center Street, Suite 1, Ebensburg, PA 15931

Board decisions and notices are available on our Web site at "[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV)."

Decided: March 8, 2011.

SEDA—COG and N&BE has recently been filed at the Board in *Susquehanna Union R.R.—Control Exemption—N. Shore R.R., Nittany & Bald Eagle R.R., Shamokin Valley R.R., Juniata Valley R.R., Lycoming Valley R.R., and Union Cnty. Indus. R.R.*, FD 35343, Pet. for Exemption Ex. B, Apr. 12, 2010. The parties are reminded that once the operator obtains Board authorization to provide common carrier rail service over a line, the common carrier obligation continues, notwithstanding any term of the parties' agreement, including term limitations and termination rights, unless and until the Board grants the appropriate discontinuance or abandonment authority. 49 U.S.C. 10903; *Chicago & N. W. Transp. Co. v. Kalo Brick & Tile Co.*, 450 U.S. 311, 320 (1981); *Pittsburg & Shawmut R.R.—Abn. Exemption—in Armstrong and Jefferson Counties, Pa.*, AB 976X, slip op. at 1 (STB served Sept. 15, 2005).

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2011-5613 Filed 3-10-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Release of Waybill Data

The Surface Transportation Board has received a request from Covington & Burling on behalf of Union Pacific Corporation (WB468-12—3/2/11), for permission to use certain data from the Board's 2009 Carload Waybill Sample. A copy of the request may be obtained from the Office of Economics.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

Contact: Scott Decker, (202) 245-0330.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2011-5592 Filed 3-10-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[TD 9328]

#### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, TD 9328, Safe Harbor for Valuation Under Section 475.

**DATES:** Written comments should be received on or before May 10, 2011 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Yvette Lawrence, Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulations should be directed to Ralph Terry, at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202)622-8144, or through the Internet at [Ralph.M.Terry@irs.gov](mailto:Ralph.M.Terry@irs.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Safe Harbor for Valuation Under Section 475.

*OMB Number:* 1545-1945. *Regulation Project Number:* TD 9328.

*Abstract:* This document sets forth an elective safe harbor that permits dealers in securities and dealers in commodities to elect to use the values of positions reported on certain financial statements as the fair market values of those positions for purposes of section 475 of the Internal Revenue Code (Code). This safe harbor is intended to reduce the compliance burden on taxpayers and to improve the administrability of the valuation requirement of section 475 for the IRS.

*Current Actions:* There is no change to this existing regulation.

*Type of Review:* Extension of currently approved collection.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 12,308.

*Estimated Average Time Per Respondent:* 4 hours.

*Estimated Total Annual Burden Hours:* 49,232.

The following paragraph applies to all the collections of information covered by this notice.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the 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 collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (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; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: March 4, 2011.

**Yvette Lawrence,**

IRS Reports Clearance Officer.

[FR Doc. 2011-5564 Filed 3-10-11; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[TD 8096]

#### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, TD 8096, Product Liability Losses and Accumulations for Product Liability Losses (Section 1.172-13).

**DATES:** Written comments should be received on or before May 10, 2011 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Yvette Lawrence, Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulations should be directed to Ralph Terry, at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202)622-8144, or through the Internet at [Ralph.M.Terry@irs.gov](mailto:Ralph.M.Terry@irs.gov).

#### SUPPLEMENTARY INFORMATION: