

Docket No.	Requester	Regulation(s)	Nature of special permit
			<p>The contiguous segment that Gulf South is requesting to add to the Special Permit segment is located at Station 700+23 to Station 701+58. With the addition of this segment, the extended Special Permit Segment would be defined as follows:</p> <p>Station Number 699+77 to Station Number 701+58 (181 feet).</p> <p>The Special Permit Inspection Area, as defined by the existing Special Permit extends from Station 0+00, the start of the TPL 880 Line, to Station 1201+68 at the Airport Compressor Station. The Inspection Area is approximately 23 miles long and is entirely in Mobile County, Alabama.</p> <p>TPL-880 is a 24-mile steel pipeline lateral transporting natural gas from a point onshore of the Gulf of Mexico to other pipelines located in Alabama. The 30-inch diameter pipeline was installed in 1992. The 135-foot extension is located in a high consequence area (HCA), calculated by Method 2, and caused by 20+ dwellings adjacent to the pipeline.</p>

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

Issued in Washington, DC, on September 18, 2012.

**Jeffrey D. Wiese,**

*Associate Administrator for Pipeline Safety.*

[FR Doc. 2012-23318 Filed 9-20-12; 8:45 am]

**BILLING CODE 4910-60-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35656]

#### **Progressive Rail Incorporated— Acquisition and Operation Exemption—Rail Lines of Crab Orchard & Egyptian Railroad Company**

Progressive Rail Incorporated (PGR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from Crab Orchard & Egyptian Railroad Company (COER) and to operate 12.23 miles of COER's rail lines in Williamson County, Ill.<sup>1</sup> The rail lines are: (1) COER's Marion District between milepost 99.47 at or near Ordill and milepost 108.00 at or near Marion, a distance of 8.53 miles; (2) COER's Herrin District between milepost No. 10.7 and milepost 13.4, a distance of 2.7 miles; and (3) north from the wye track between milepost No. C94 and milepost C93, a distance of 1.0 mile.

PGR certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier but that its projected annual revenues will exceed \$5 million. On Sept. 5, 2012, as part of its initial verified notice of exemption filing, PGR certified that it posted the

<sup>1</sup> PGR originally filed its notice of exemption on September 5, 2012. On September 6 and September 7, 2012, it amended its notice of exemption. Accordingly, September 7, 2012, will be considered the filing date of the verified notice.

notice required by 49 CFR 1150.32(e) at the headquarters of COER at Marion.<sup>2</sup>

Although PGR indicates that the proposed transaction will be consummated no sooner than the 30 days after the verified notice was filed, under 49 CFR 1150.32(e) this exemption cannot become effective November 4, 2012 (60 days after PGR submitted its certification to the Board).

If the verified 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. Petitions to stay must be filed no later than October 26, 2012 (at least seven days before the exemption becomes effective).

An original and ten copies of all pleadings, referring to Docket No. FD 35656, 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 Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: September 17, 2012.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2012-23370 Filed 9-20-12; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>2</sup> PGR explains that, because COER employees are not members of a labor union, the notice was not sent to the national office of any labor union.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35673]

#### **ABE Fairmont, LLC—Acquisition and Operation Exemption—Fillmore Western Railway Company**

ABE Fairmont, LLC (ABE), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Fillmore Western Railway Company (FWRC) and operate an approximately 2-mile rail line between a point of connection with BNSF Railway Company (BNSF) at BNSF milepost 1.7 and the north property line of County Road H, at or near Fairmont, Fillmore County, Neb.<sup>1</sup>

The transaction is scheduled to be consummated on or after October 5, 2012 (30 days after the notice of exemption was filed).

ABE 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 will not exceed \$5 million.

If the verified 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. Petitions to stay must be filed no later than September 28, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35673, must be filed with the Surface Transportation Board, 395 E Street SW.,

<sup>1</sup> ABE, which operates an ethanol plant adjacent to the line, purchased the line a number of years ago from FWRC for its private purposes under the mistaken belief that the line had been abandoned and was no longer subject to Board jurisdiction. By this notice, ABE seeks Board authorization for its acquisition and operation of what it has recently learned is an active rail line.