

2. Updates regarding TVA's Natural Resource Plan Annual Review, including information about land condition assessments, dispersed recreation web applications, and cultural resources.

3. Presentation(s) concerning TVA's proposed fee increase for Section 26a permits

4. Public Comments.

5. Council Discussion and Advice.

The RRSC will hear opinions and views of citizens by providing a public comment session. The public comment session will be held at 9:30 a.m., EDT, on Tuesday, October 23. Persons wishing to speak are requested to register at the door by 8:30 a.m. on Tuesday, October 23 and will be called on during the public comment period. Handout materials should be limited to one printed page. Written comments are also invited and may be mailed to the Regional Resource Stewardship Council, Tennessee Valley Authority, 400 West Summit Hill Drive, WT-11 B, Knoxville, Tennessee 37902.

**DATES:** The meeting will be held on Monday, October 22, from 1:15 p.m. to 4:45 p.m. and Tuesday, October 23, from 8:00 a.m. to noon, EDT.

**ADDRESSES:** The meeting will be held at the Tennessee Valley Authority, 400 West Summit Hill Drive, 37902 and will be open to the public. Anyone needing special access or accommodations should let the contact below know at least a week in advance.

**FOR FURTHER INFORMATION CONTACT:** Beth Keel, 400 West Summit Hill Drive, WT-11 B, Knoxville, Tennessee 37902, (865) 632-6113.

Dated: September 28, 2012.

**Joseph J. Hoagland,**

*Senior Vice President, Policy and Oversight, Tennessee Valley Authority.*

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**BILLING CODE 8120-08-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35676]

#### **BNSF Railway Company—Temporary Trackage Rights Exemption—Union Pacific Railroad Company**

Pursuant to a written trackage rights agreement dated August 10, 2012, Union Pacific Railroad Company (UP) has agreed to grant restricted temporary trackage rights to BNSF Railway Company (BNSF) over UP's lines between: (1) UP milepost 93.2, at Stockton, Cal., on UP's Oakland

Subdivision, and UP milepost 219.4, at Elsey, Cal., on UP's Canyon Subdivision, a distance of 126.2 miles; and (2) UP milepost 219.4, at Elsey, and UP milepost 280.7, at Keddie, Cal., on UP's Canyon Subdivision, a distance of 61.3 miles.

The transaction is scheduled to be consummated on October 18, 2012, the effective date of the exemption (30 days after the verified notice was filed).

The purpose of this transaction is to permit BNSF to move empty and loaded ballast trains to and from the ballast pit at Elsey, which is adjacent to the UP rail line. The parties' agreement provides that the trackage rights are temporary in nature and are scheduled to expire at midnight on December 31, 2012.

As a condition to this exemption, any employee affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7).<sup>1</sup> If it 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 by October 11, 2012 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35676, 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 Karl Morell, Of Counsel, Ball Janik LLP, 655 Fifteenth Street NW., Suite 225, Washington, DC 20005.

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

Decided: October 1, 2012.

<sup>1</sup> BNSF states that the verified notice is not filed under the Board's class exemption for temporary trackage rights at 49 CFR 1180.2(d)(8) because the trackage rights are local rather than overhead. See *R.R. Consolidation Procedures*, 6 S.T.B. 910 (2003). Instead, BNSF has filed under the trackage rights class exemption at 1180.2(d)(7) and concurrently has filed, in *BNSF Railway Company—Temporary Trackage Rights Exemption—Union Pacific Railroad Company*, Docket No. FD 35676 (Sub-No. 1), a petition for partial revocation of this exemption to permit these proposed local trackage rights to expire at midnight on December 31, 2012, as provided in the parties' agreement. The Board will address that petition in a separate decision.

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

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2012-24519 Filed 10-3-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### **Proposed Collection; Comment Request for TD 9178**

**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 TD 9178, Testimony or Production of Records in a Court or Other Proceeding.

**DATES:** Written comments should be received on or before December 3, 2012 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 form and instructions should be directed to Elaine Christophe, (202) 622-3179, at Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at [Elaine.H.Christophe@irs.gov](mailto:Elaine.H.Christophe@irs.gov).

**SUPPLEMENTARY INFORMATION:** *Title:* Testimony or Production of Records in a Court or Other Proceeding.

*OMB Number:* 1545-1850.

*Form Number:* TD 9178.

*Abstract:* These final regulations replace the existing regulation that establishes the procedures to be followed by IRS officers and employees upon receipt of a request or demand for disclosure of IRS records or information. The purpose of the final regulations is to provide specific instructions and to clarify the circumstances under which more specific procedures take precedence. The final regulations extend the application of the regulation to former IRS officers and employees as