

Your primary comments must not be more than 15 pages long (49 CFR 553.21). However, you may attach additional documents to your primary comments. There is no limit on the length of the attachments.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477) or you may visit <http://www.regulations.gov>.

Please send two paper copies of your comments to Docket Management, fax them, or use the Federal eRulemaking Portal. The mailing address is U.S. Department of Transportation, Docket Management Facility, M-30, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. The fax number is 1-202-493-2251. To use the Federal eRulemaking Portal, go to <http://www.regulations.gov> and follow the online instructions for submitting comments.

We also request, but do not require you to send a copy to Charles J. Kahane, Chief, Evaluation Division, NVS-431, National Highway Traffic Safety Administration, Room W53-312, 1200 New Jersey Avenue SE., Washington, DC 20590 (or email them to [chuck.kahane@dot.gov](mailto:chuck.kahane@dot.gov)). He can check if your comments have been received at the Docket and he can expedite their review by NHTSA.

*How can I be sure that my comments were received?*

If you wish Docket Management to notify you upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will return the postcard by mail.

*How do I submit confidential business information?*

If you wish to submit any information under a claim of confidentiality, send three copies of your complete submission, including the information you claim to be confidential business information, to the Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Include a cover letter supplying the information specified in our

confidential business information regulation (49 CFR part 512).

In addition, send two copies from which you have deleted the claimed confidential business information to U.S. Department of Transportation, Docket Management Facility, M-30, West Building, Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590, or submit them via the Federal eRulemaking Portal.

*Will the agency consider late comments?*

In our response, we will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date.

Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically check the Docket for new material.

*How can I read the comments submitted by other people?*

You may read the materials placed in the docket for this document (e.g., the comments submitted in response to this document by other interested persons) at any time by going to <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. You may also read the materials at the Docket Management Facility by going to the street address given above under **ADDRESSES**. The Docket Management Facility is open between 9 a.m. and 5 p.m. Eastern Time, Monday through Friday, except Federal holidays.

**Authority:** 49 U.S.C. 30111, 30168; delegation of authority at 49 CFR 1.50 and 501.8.

**James F. Simons,**  
*Director, Office of Regulatory Analysis and Evaluation.*

[FR Doc. 2012-27994 Filed 11-16-12; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35664]

### V and S Railway, LLC—Acquisition and Operation Exemption—Colorado Department of Transportation

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** The Board is granting an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10902 and 49 CFR 1150.1 *et seq.*, for V and S Railway, LLC (V&S), a Class III rail carrier, to acquire approximately 121.9 miles of rail line between milepost 747.5, near Towner, and milepost 869.4, near NA Junction in Pueblo, Crowley, and Kiowa Counties, Colo. (the Towner Line). V&S filed its petition for exemption because, in an earlier Board proceeding, it received Board authority only to operate over the Towner Line by assignment of the lease of the previous operator.<sup>1</sup> However, V&S had actually purchased the Towner Line from the owner, the Colorado Department of Transportation (CDOT), which V&S has operated since December 29, 2005.

V&S also requests that the Board grant retroactive approval of its acquisition. V&S states that in the near future it expects to file a verified notice of exemption to abandon the western segment of the Towner Line, on which there has been no traffic for more than two years' time and asks that December 29, 2005, be the effective date of its acquisition. The Board denies the request of V&S for retroactive approval of its acquisition, but will allow V&S to file a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon the western segment of the Towner Line by waiving the requirement that it have had ownership of that portion of the line for at least two years before making the certification required at 49 CFR 1152.50(b).

**DATES:** This exemption will be effective December 13, 2012. Petitions to stay must be filed by November 28, 2012. Petitions to reopen must be filed by December 10, 2012.

**ADDRESSES:** Send an original and 10 copies of all pleadings referring to Docket No. FD 35664, to: Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, send one copy of pleadings to Fritz Kahn, Fritz Kahn, P.C., 1919 M Street NW., 7th Floor, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Jonathon Binet, (202) 245-0368. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Additional information is contained in

<sup>1</sup> *V & S Ry.—Acquis. and Operation Exemption—Colo., Kan. & Pac. Ry.*, FD 34779 (STB served Dec. 30, 2005).

the Board's decision served November 13, 2012, which is available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: November 13, 2012.

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Begeman.

**Derrick A. Gardner,**

*Clearance Clerk.*

[FR Doc. 2012-28047 Filed 11-16-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 13, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before December 19, 2012 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1438.

*Type of Review:* Extension without change.

*Title:* CO-8-91 (Final) Distributions of Stock and Stock Rights.

*Abstract:* The requested information is required to notify the Service that a holder of preferred stock callable at a premium by the issuer has made a determination regarding the likelihood of exercise of the right to call that is different from the issuer's determination.

*Affected Public:* Private Sector: Businesses or other For-Profit Institutions.

*Estimated Total Burden Hours:* 333.

*OMB Number:* 1545-0217.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Form 5735, American Samoa Economic Development Credit.

*Abstract:* Form 5735 is used to figure the American Samoa economic development credit under section 30A. The credit is generally allowed against income tax imposed by Chapter 1.

A domestic corporation (other than an S corporation) that is an existing credit claimant with respect to American Samoa must complete Form 5735 for each year the American Samoa economic development credit election is in effect.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 127.

*OMB Number:* 1545-0495.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Request for Public Inspection or Copy of Exempt or Political Organization IRS Form.

*Form:* 4506-A.

*Abstract:* Internal Revenue Code section 6104 states that if an organization described in section 501(c) or (d) is exempt from taxation under section 50(a) for any taxable year, the application for exemption is open for public inspection. This includes all supporting documents, any letter or other documents issued by the IRS concerning the application, and certain annual returns of the organization. Form 4506-A is used to request public inspection or a copy of these documents.

*Affected Public:* Individuals or households.

*Estimated Total Burden Hours:* 19,400.

*OMB Number:* 1545-0887.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Information Return for Publicity Offered Original Issue Discount Instruments.

*Form:* 8121.

*Abstract:* Form 8281 is filed by the issuer of a publicly offered debt instrument having OID. The information is used to update Pub. 1212, List of Original Issue Discount Instruments.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 3,060.

*OMB Number:* 1545-1260.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* CO-62-89 (Final) Final Regulations under Section 382 of the Internal Revenue Code of 1986; Limitations on Corporate Net Operating Loss Carryforwards.

*Abstract:* The reporting requirement concerns the election a taxpayer may make to treat as the change data the effective data of a plan of reorganization in a title II or similar case rather than the confirmation date of a plan.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 1.

*OMB Number:* 1545-1537.

*Type of Review:* Extension without change.

*Title:* REG-253578-96 Final Regulations for Health Coverage Portability for Group Health Plans and Group Health Insurance Issuers under HIPAA Titles I & IV.

*Abstract:* The regulations provide guidance for group health plans and the employers maintaining them regarding requirements imposed on plans relating to preexisting condition exclusions, discrimination based on health status, and access to coverage.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 262,289.

*OMB Number:* 1545-1543.

*Type of Review:* Extension without change.

*Title:* Revenue Procedure 97-29 Model Amendments and Prototype Program for SIMPLE IRAs.

*Abstract:* The revenue procedure provides guidance to drafters of prototype SIMPLE IRAs on obtaining opinion letters and provides permissive amendments to sponsors of non-SIMPLE IRAs.

*Affected Public:* Private Sector: Business or other for-profits.

*Estimated Total Burden Hours:* 25,870.

*OMB Number:* 1545-2110.

*Type of Review:* Extension without change.

*Title:* REG-127770-07 (Final), Modifications of Commercial Mortgage Loans Held by a Real Estate Mortgage Investment Conduit.

*Abstract:* This final regulation expands the list of permitted loan modifications to include certain modifications of commercial mortgages. The regulations are necessary to better accommodate evolving commercial mortgage industry packages.

*Affected Public:* Private Sector: Business or other for-profits.