The transaction is scheduled to be consummated on July 17, 2013, the effective date of the exemption (30 days after the exemption is filed).

As a condition to this exemption, any employees 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 Railroad—Lease & Operate—California Western Railroad, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). 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 by July 10, 2013 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35278 (Sub-No. 1), 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 J. Litwiler, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

Board decisions and notices are available on our Web site at www.stb.dot.gov.

Decided: June 28, 2013.

By the Board.

Rachel D. Campbell,
Director, Office of Proceedings.

By issuance of this notice, the Board is tentatively approving and authorizing the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.2 Persons wishing to oppose the Board’s action may file written comments with the Board by July 15, 2013, to ensure that it can commence work on the Line timely in connection with other related improvements. The Board will attempt to accommodate that request, subject to the consideration of any comments that may be filed.

Decided: June 28, 2013.

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

Derrick A. Gardner,
Clearance Clerk.

[FR Doc. 2013–16167 Filed 7–2–13; 8:45 am]
BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION
Surface Transportation Board
[Docket No. MCF 21053]

Conway’s Bus Service, Inc.—Sale Of Certain Assets—Academy Express, L.L.C.

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice Tentatively Approving and Authorizing Financing Transaction.

SUMMARY: On June 4, 2013, Conway’s Bus Service, Inc. (CBS), and Academy Express, L.L.C. (Academy) (collectively, Applicants), motor carriers of passengers, filed an application under 49 U.S.C. 14303 for approval of the purchase of certain assets of CBS’s Charter Division by Academy.3 The Board is tentatively approving and authorizing the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.2 Persons wishing to oppose the

1 Although the application was filed by CBS, it is being accepted as jointly filed because Academy’s manager, Francis Tedesco, filed a supporting verification with the application. Under 49 U.S.C. 14303(a)(2), Board approval is required for transactions that involve “[a] purchase, lease, or contract to operate property of another carrier by any number of carriers.”

2 Applicants simultaneously filed a motion to dismiss the application contending that, because of its size and nature, the transaction does not fall

3 The CREATE program is a public-private partnership between the Chicago Department of Transportation, the Illinois Department of Transportation, and the American Association of Railroads, including Metra and the freight railroads operating in Chicago, to increase efficiency of the region’s rail infrastructure, and to enhance the quality of life for Chicago area residents.