

will be protected by the conditions set forth in *New York Dock Railway—Control—Brooklyn District Eastern Terminal*, 360 I.C.C. 60 (1979).

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. Petitions for stay must be filed no later than December 13, 2013 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35784, 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 Louis E. Gitomer, Esq., Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

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

Decided: December 3, 2013.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2013-29130 Filed 12-5-13; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35785]

#### **The Three Rivers Railway Company—Corporate Family Merger Exemption—Mahoning State Line Railroad Company**

The Three Rivers Railway Company (TRRC) and Mahoning State Line Railroad Company (MSLR) (collectively, applicants) have filed a verified notice of exemption under 49 CFR 1180.2(d)(3) for a corporate family transaction.

According to applicants, TRRC is a Class III railroad and a subsidiary of CSX Transportation, Inc. (CSXT).<sup>1</sup> TRRC directly controls and operates MSLR, a Class III carrier and wholly owned subsidiary of TRRC.

Under the proposed transaction, MSLR will be merged with and into TRRC. Applicants state that the purpose of the corporate transaction is to simplify the corporate structure and reduce overhead costs, and that the

transaction will reduce corporate overhead and duplication by eliminating one corporation while retaining the same assets to serve customers.

Unless stayed, the exemption will be effective on December 21, 2013 (30 days after the verified notice was filed). Applicants state that TRRC intends to merge MSLR into TRRC on or after that date.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). Applicants state that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Because CSXT, which controls TRRC directly and MSLR indirectly, is a Class I carrier, any employees adversely affected by this transaction will, as a condition to the use of this exemption, be protected by the conditions set forth in *New York Dock Railway—Control—Brooklyn District Eastern Terminal*, 360 I.C.C. 60 (1979).<sup>2</sup>

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. Petitions for stay must be filed no later than December 13, 2013 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35785, 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 Louis E. Gitomer, Esq., Law Offices of Louis E. Gitomer, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

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Decided: December 3, 2013.

<sup>2</sup> See *Genessee & Wyo., Inc.—Corporate Family Transaction Exemption*, FD 35764 (STB served Sept. 13, 2013) (making a corporate family transaction subject to labor protection that applies to transactions involving a Class II carrier because the corporate family included a Class II carrier).

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

**Raina S. White,**  
Clearance Clerk.

[FR Doc. 2013-29189 Filed 12-5-13; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 1068 (Sub-No. 2X); Docket No. AB 1070 (Sub-No. 2X)]

#### **Missouri Central Railroad Company—Discontinuance of Trackage Rights Exemption—in Cass and Jackson Counties, MO; Central Midland Railway Company—Discontinuance of Trackage Rights Exemption—in Cass and Jackson Counties, MO**

Missouri Central Railroad Company (MCRR) and Central Midland Railway Company (CMR) jointly filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue trackage rights over a rail line owned by the Union Pacific Railroad Company (UP) between Pleasant Hill, Mo. (milepost 263.5), and Leeds Junction, Mo. (milepost 288.3) (the Line). The Line traverses United States Postal Service Zip Codes 64080, 64034, 64082, 64081, 64138, 64133, and 64129. This notice replaces both a Notice of Exemption filed by MCRR on October 17, 2013, and an Amended Notice of Exemption filed by MCRR on October 30, 2013, in Docket No. AB 1068 (Sub-No. 2X).<sup>1</sup>

MCRR and CMR have certified that: (1) MCRR and CMR have not moved any local traffic over the Line for at least two years; (2) they have not moved any overhead traffic over the Line for at least two years, and that overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending before the Surface Transportation Board or before any U.S. District Court or has been decided in

<sup>1</sup> MCRR obtained trackage rights over the Line as part of the transaction involved in *Missouri Central Railroad—Acquisition & Operation Exemption—Lines of Union Pacific Railroad*, FD 33508 (STB served Jan. 27, 1998). CMR obtained rights to the Line when it filed a notice of operation exemption in *Central Midland Railway—Operation Exemption—Lines of Missouri Central Railroad*, FD 33988 (STB served Jan. 29, 2001). Neither MCRR nor CMR has ever utilized these trackage rights. Upon discontinuance of service by MCRR and CMR over the Line, UP will continue to be a common carrier authorized to operate on the Line.

<sup>1</sup> See *CSX Transp., Inc.—Continuance in Control Exemption—The Three Rivers Ry.*, FD 32056 (ICC served Oct. 23, 1992).

favor of the complainant within the two-year period; and (4) the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) to subsidize continued rail service has been received, this exemption will be effective on January 7, 2014, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2)<sup>2</sup> must be filed by December 16, 2013.<sup>3</sup> Petitions to reopen must be filed by December 26, 2013, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to MCRR's representative: Sandra L. Brown, Thompson Hine LLP, 1919 M St NW., Suite 700, Washington, DC 20036. A copy of any petition filed with the Board also should be sent to CMR's representative: Lon Van Gemert, Central Railway Company, c/o Progressive Rail Incorporated, 21778 Highview Avenue, Lakeville, MN 55044.

If the notice contains false or misleading information, the exemption is void *ab initio*.

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

Decided: December 3, 2013.

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

**Raina S. White,**  
Clearance Clerk.

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<sup>2</sup> Because this is a discontinuance and not an abandonment, only OFAs to subsidize continued rail service are permitted. Each OFA must be accompanied by the filing fee, which currently is set at \$1,600. See 49 CFR 1002.2(f)(25).

<sup>3</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historic documentation is required here under 49 CFR. 1105.6(c) and 49 CFR 1105.8(b), respectively.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### Senior Executive Service Performance Review Board (PRB) and Executive Resources Board (ERB) Membership

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Senior Executive Service Performance Review Board (PRB) and Executive Resources Board (ERB) Membership.

**SUMMARY:** Effective immediately, the membership of the PRB and ERB is as follows:

#### Performance Review Board

Leland L. Gardner, Chairman  
Rachel D. Campbell, Member  
Craig M. Keats, Member  
Lucille Marvin, Alternate Member

#### Executive Resources Board

Rachel D. Campbell, Chairman  
Lucille Marvin, Member  
Joseph H. Dettmar, Alternate Member

These changes to the PRB and ERB membership are due to the departure of STB General Counsel, Raymond Atkins and the subsequent appointment of Craig Keats to the General Counsel position.

**FOR FURTHER INFORMATION CONTACT:** If you have any questions regarding this matter, please contact Paula Chandler at (202) 245-0340.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2013-29124 Filed 12-5-13; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Taxpayer Advocacy Panel Meeting Cancellation

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

**ACTION:** Notice of meeting cancellation.

**SUMMARY:** Notice is hereby given of the cancellation of the open meeting of the Taxpayer Advocacy Panel Taxpayer Assistance Center Improvements Project Committee scheduled Tuesday, December 10, 2013, at 2:00 p.m. Eastern Time via teleconference, which was originally published in the **Federal Register** on November 21, 2013, (Volume 78, Number 225, Page 69940).

The meeting is cancelled pending appointment of new members for the Panel.

**FOR FURTHER INFORMATION CONTACT:** Donna Powers at 1-888-912-1227 or (954) 423-7977.

Dated: December 2, 2013.

**Otis Simpson,**

*Acting Director, Taxpayer Advocacy Panel.*

[FR Doc. 2013-29110 Filed 12-5-13; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Art Advisory Panel—Notice of Closed Meeting

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Notice of Closed Meeting of Art Advisory Panel.

**SUMMARY:** Closed meeting of the Art Advisory Panel will be held in Washington, DC.

**DATES:** The meeting will be held December 11, 2013.

**ADDRESSES:** The closed meeting of the Art Advisory Panel will be held at 999 North Capitol Street NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Ruth M. Vriend, C:AP:SO:ART, 1111 Constitution Ave. NW., Washington, DC 20224. Telephone (202) 317-8853 (not a toll free number).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App., that a closed meeting of the Art Advisory Panel will be held at 999 North Capitol Street, Washington, DC 20002.

The agenda will consist of the review and evaluation of the acceptability of fair market value appraisals of works of art involved in Federal income, estate, or gift tax returns. This will involve the discussion of material in individual tax returns made confidential by the provisions of 26 U.S.C. 6103.

A determination as required by section 10(d) of the Federal Advisory Committee Act has been made that this meeting is concerned with matters listed in section 552b(c)(3), (4), (6), and (7), of the Government in Sunshine Act and that the meeting will not be open to the public.

**Kirsten B. Wielobob,**

*Acting Chief, Appeals.*

[FR Doc. 2013-29113 Filed 12-5-13; 8:45 am]

**BILLING CODE 4830-01-P**