

Decided: July 26, 2016.

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

**Raina S. Contee,**  
*Clearance Clerk.*

[FR Doc. 2016-17991 Filed 7-28-16; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36051]

### **Progressive Rail Incorporated— Continuance in Control Exemption— Iowa Southern Railway Company**

Progressive Rail Incorporated (PGR), a Class III rail carrier, has filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Iowa Southern Railway Company (ISR), upon ISR's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in *Iowa Southern Railway Company—Lease & Operation Exemption—Appanoose County Community Railroad*, Docket No. FD 36050, wherein ISR seeks Board approval to lease and operate approximately 34.5 miles of rail line between milepost 0.0 in Centerville, Appanoose County, Iowa, and milepost 34.5 in Albia, Monroe County, Iowa.

The transaction may be consummated on or after August 13, 2016, the effective date of the exemption (30 days after the notice of exemption was filed).

PGR owns or operates rail lines in Minnesota, Wisconsin, and Illinois, and controls three other Class III rail carriers that operate rail lines in Minnesota, Missouri, and Iowa.

PGR represents that: (1) The rail line to be leased and operated by ISR does not connect with any of the rail lines of PGR or of the other three Class III rail carriers controlled by PGR; (2) the continuance in control is not a part of a series of anticipated transactions that would result in such a connection; and (3) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

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. Section 11326(c), however, does not provide for labor protection for transactions under 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

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 for stay must be filed by August 5, 2016 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36051, 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 and Audrey L. Brodrick, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

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

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## **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

### **Determination Regarding Waiver of Discriminatory Purchasing Requirements With Respect to Goods and Services of the Republic of Moldova**

**AGENCY:** Office of the United States  
Trade Representative.

**ACTION:** Notice.

**SUMMARY:** On September 21, 2015, the WTO Committee on Government Procurement approved the accession of the Republic of Moldova to the World Trade Organization (WTO) Agreement on Government Procurement (GPA). The United States, which also is a party to the GPA, has agreed to waive discriminatory purchasing requirements for eligible products and suppliers of the Republic of Moldova beginning on July 14, 2016.

**DATES:** Effective July 14, 2016.

**FOR FURTHER INFORMATION CONTACT:** Scott Pietan, Director of International Procurement Policy, Office of the United States Trade Representative, 202-395-9646.

**SUPPLEMENTARY INFORMATION:** On September 21, 2015, the WTO Committee on Government Procurement approved the accession of the Republic

of Moldova to the GPA. The Republic of Moldova submitted its instrument of accession to the Secretary-General of the WTO on June 14, 2016. The GPA will enter into force for the Republic of Moldova on July 14, 2016. The United States, which also is a party to the GPA, has agreed to waive discriminatory purchasing requirements for eligible products and suppliers of the Republic of Moldova beginning on July 14, 2016.

Section 1-201 of Executive Order 12260 of December 31, 1980, delegated the functions of the President under sections 301 and 302 of the Trade Agreements Act of 1979 (the Trade Agreements Act) (19 U.S.C. 2511, 2512) to the United States Trade Representative.

### **Determination**

In conformity with sections 301 and 302 of the Trade Agreements Act, and in order to carry out U.S. obligations under the GPA, I hereby determine that:

1. The Republic of Moldova has become a party to the GPA and will provide appropriate reciprocal competitive government procurement opportunities to United States products and services and suppliers of such products and services. In accordance with section 301(b)(1) of the Trade Agreements Act, the Republic of Moldova is so designated for purposes of section 301(a) of the Trade Agreements Act.

2. Accordingly, beginning on July 14, 2016, with respect to eligible products of the Republic of Moldova, namely, those goods and services covered under the GPA for procurement by the United States, and suppliers of such products, the application of any law, regulation, procedure or practice regarding government procurement that would, if applied to such products and suppliers, result in treatment less favorable than that accorded:

A. to United States products and suppliers of such products, or

B. to eligible products of another foreign country or instrumentality which is a party to the GPA and suppliers of such products, shall be waived. This waiver shall be applied by all entities listed in United States Annexes 1 and 3 of GPA Appendix 1.

3. The United States Trade Representative may modify or withdraw the designation in paragraph 1 and the waiver in paragraph 2.

**Michael B.G. Froman,**

*United States Trade Representative.*

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