

### Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEArca-2008-125 on the subject line.

### Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, and 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSEArca-2008-125. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEArca-2008-125 and should be submitted on or before January 26, 2009.

### IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,<sup>22</sup> that the proposed rule change (SR-NYSEArca-2008-125), as modified by Amendment No. 1 thereto, be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>23</sup>

**Florence E. Harmon,**  
Acting Secretary.

[FR Doc. E8-31352 Filed 1-5-09; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 304X)]

### Norfolk Southern Railway Company— Abandonment Exemption—in Henry County, VA

Norfolk Southern Railway Company (NSR) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 4.20-mile line of railroad between milepost DW 41.60, and milepost DW 45.80, in Martinsville, Henry County, VA. The line traverses United States Postal Service Zip Code 24112 and includes the former stations of Martinsville and Jones Creek.

NSR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic can 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 with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 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 abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 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) has been received, this exemption will be effective on February 5, 2009, unless stayed pending reconsideration.<sup>1</sup> Petitions to stay that

<sup>23</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> NSR's representative has been informed that the earliest this transaction may be consummated is February 5, 2009. NSR originally indicated a consummation date of February 4, 2009.

do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by January 16, 2009. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by January 26, 2009, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to NSR's representative: James R. Paschall, Senior General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510.

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

NSR has filed environmental and historic reports which address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by January 9, 2009. Interested persons may obtain a copy of the EA by writing to SEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 245-0305.

(Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.) Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), NSR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by NSR's filing of a notice of consummation by January 6, 2010, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,500. See 49 CFR 1002.2(f)(25).

<sup>22</sup> 15 U.S.C. 78s(b)(2).

Decided: December 23, 2008.  
 By the Board, David M. Koonschnik,  
 Director, Office of Proceedings.  
**Jeffrey Herzig,**  
*Clearance Clerk.*  
 [FR Doc. E8-31133 Filed 1-5-09; 8:45 am]  
**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY**

**United States Mint**

**Notification of New Pricing  
 Methodology for Numismatic Products  
 Containing Platinum and Gold Coins**

**SUMMARY:** The United States Mint is implementing a new pricing methodology for its numismatic products containing platinum and gold coins to mitigate the effect that fluctuating gold and platinum commodity costs has on the pricing of these products. The new pricing methodology is based primarily on the London Fix weekly average (average of the London Fix prices covering the previous Thursday a.m. Fix through the Wednesday a.m. Fix) platinum and gold prices, which reflect the market value of

the platinum and gold bullion that these products contain. As required by law, the prices of these products also must be sufficient to recover all other costs incurred by the United States Mint, such as the cost of minting, marketing, and distributing such products (including labor, materials, dies, use of machinery, and promotional and overhead expenses). This pricing methodology will allow the United States Mint to change the prices of these products as often as weekly so they better reflect the costs of platinum and gold on the open markets.

**DATES:** The new pricing methodology, as further explained in the **SUPPLEMENTARY INFORMATION** section, will go into effect on January 12, 2008.

**FOR FURTHER INFORMATION CONTACT:** B.B. Craig, Associate Director for Sales and Marketing; United States Mint; 801 Ninth Street, NW.; Washington, DC 20220; or call 202-354-7500.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority that 31 U.S.C. 5111(a)(3), 5112(i), 5112(k), 5112(o), and 5112(q) grant the Secretary of the Treasury to mint and issue gold and platinum coins and to prepare and distribute numismatic items, the United

States Mint sells to the public numismatic products containing American Eagle Gold and Platinum Coins, American Buffalo Gold Coins, First Spouse Gold Coins, and the 2009 United States Mint Ultra High Relief Double Eagle Gold Coin. In accordance with 31 U.S.C. 9701(b)(2)(B), the United States Mint is changing the prices of these coins to reflect a new methodology in pricing.

Effective January 12, 2009, the United States Mint will commence selling numismatic products containing American Eagle Gold and Platinum Coins, American Buffalo Gold Coins, First Spouse Gold Coins, and the 2009 United States Mint Ultra High Relief Double Eagle Gold Coin at prices established by using the new pricing methodology. Specifically, each Wednesday, the United States Mint will apply the average London Fix for platinum and gold (average of the London Fix prices covering the previous Thursday A.M. Fix through the Wednesday A.M. Fix) to the below pricing schedules. Price adjustments as a result of this process, if any, will be effective at 10 a.m. E.S.T. on the immediately following Thursday.

**PRICING OF NUMISMATIC PRODUCTS CONTAINING GOLD COINS <sup>1</sup>**

Average price of gold		American buffalo gold proof	American buffalo gold uncirculated	American eagle gold proof	American eagle gold uncirculated	Celebration coin	8-8-08 double prosperity	First spouse 24K proof	First spouse 24K uncirculated	2009 United States mint ultra high relief double eagle gold coin
\$500.00 to \$549.99.	1 oz .....	\$810.00	\$808.00	\$785.00	\$778.00	\$797.00	\$825.00	.....	.....	\$889.00
	1/2 oz .....	\$432.00	\$429.00	\$406.00	\$400.00	.....	.....	\$429.00	\$416.00	.....
	1/4 oz .....	\$241.50	\$239.00	\$215.50	\$209.50	.....	.....	.....	.....	.....
	1/10 oz .....	\$127.00	\$124.00	\$100.50	\$94.50	.....	.....	.....	.....	.....
	4 coins .....	\$1,488.00	\$1,485.00	\$1,458.00	\$1,450.00	.....	.....	.....	.....	.....
\$550.00 to \$599.99.	1 oz .....	\$860.00	\$858.00	\$835.00	\$828.00	\$847.00	\$875.00	.....	.....	\$939.00
	1/2 oz .....	\$457.00	\$454.00	\$431.00	\$425.00	.....	.....	\$454.00	\$441.00	.....
	1/4 oz .....	\$254.00	\$251.50	\$228.00	\$222.00	.....	.....	.....	.....	.....
	1/10 oz .....	\$132.00	\$129.00	\$105.50	\$99.50	.....	.....	.....	.....	.....
	4 coins .....	\$1,580.50	\$1,577.50	\$1,550.50	\$1,542.50	.....	.....	.....	.....	.....
\$600.00 to \$649.99.	1 oz .....	\$910.00	\$908.00	\$885.00	\$878.00	\$897.00	\$925.00	.....	.....	\$989.00
	1/2 oz .....	\$482.00	\$479.00	\$456.00	\$450.00	.....	.....	\$479.00	\$466.00	.....
	1/4 oz .....	\$266.50	\$264.00	\$240.50	\$234.50	.....	.....	.....	.....	.....
	1/10 oz .....	\$137.00	\$134.00	\$110.50	\$104.50	.....	.....	.....	.....	.....
	4 coins .....	\$1,673.00	\$1,670.00	\$1,643.00	\$1,635.00	.....	.....	.....	.....	.....
\$650.00 to \$699.99.	1 oz .....	\$960.00	\$958.00	\$935.00	\$928.00	\$947.00	\$975.00	.....	.....	\$1,039.00
	1/2 oz .....	\$507.00	\$504.00	\$481.00	\$475.00	.....	.....	\$504.00	\$491.00	.....
	1/4 oz .....	\$279.00	276.50	\$253.00	\$247.00	.....	.....	.....	.....	.....
	1/10 oz .....	\$142.00	\$139.00	\$115.50	\$109.50	.....	.....	.....	.....	.....
	4 coins .....	\$1,765.50	\$1,762.50	\$1,735.50	\$1,727.50	.....	.....	.....	.....	.....
\$700.00 to \$749.99.	1 oz .....	\$1,010.00	\$1,008.00	\$985.00	\$978.00	\$997.00	\$1,025.00	.....	.....	\$1,089.00
	1/2 oz .....	\$532.00	\$529.00	\$506.00	\$500.00	.....	.....	\$529.00	516.00	.....
	1/4 oz .....	\$291.50	\$289.00	\$265.50	\$259.50	.....	.....	.....	.....	.....
	1/10 oz .....	\$147.00	\$144.00	\$120.50	\$114.50	.....	.....	.....	.....	.....
	4 coins .....	\$1,858.00	\$1,855.00	\$1,828.00	\$1,820.00	.....	.....	.....	.....	.....
\$750 to \$799.99	1 oz .....	\$1,060.00	\$1,058.00	\$1,035.00	\$1,028.00	\$1,047.00	\$1,075.00	.....	.....	\$1,139.00
	1/2 oz .....	\$557.00	\$554.00	\$531.00	\$525.00	.....	.....	\$554.00	\$541.00	.....
	1/4 oz .....	\$304.00	\$301.50	\$278.00	\$272.00	.....	.....	.....	.....	.....
	1/10 oz .....	\$152.00	\$149.00	\$125.50	\$119.50	.....	.....	.....	.....	.....
	4 coins .....	\$1,950.50	\$1,947.50	\$1,920.50	\$1,912.50	.....	.....	.....	.....	.....
\$800.00 to \$849.99.	1 oz .....	\$1,110.00	\$1,108.00	\$1,085.00	\$1,078.00	\$1,097.00	\$1,125.00	.....	.....	\$1,189.00