

filed a verified notice of exemption under 49 CFR 1150.41, *et seq.*, to lease from Union Pacific Railroad Company (UP), and operate, UP's: (1) Cypress Bend Industrial Lead, between milepost 407.5 at McGehee, AR, and milepost 399.7 at Cypress Bend, AR; and (2) Potlatch Spur, between milepost 0.0 (milepost 399.7 on the Cypress Bend Industrial Lead), and approximately milepost 3.4 at the connection with the industrial trackage of Potlatch Corporation's Cypress Bend Mill, near Arkansas City, AR (Cypress Bend Line), a total distance of approximately 11.2 miles.

AKMD will also lease the yard at the east end of the Potlatch Spur and, except for yard tracks 001 and 002, the remainder of McGehee Yard that it does not already lease. Further, AKMD will obtain restated incidental bridge trackage rights over UP's rail line between milepost 406.5 at McGehee and milepost 415.26 at Dermott, AR, to allow the movement of through traffic between the Cypress Bend Line/McGehee Yard and the Warren Line (a UP line between Dermott, AR, that AKMD leased in 2004), a distance of approximately 8.76 miles.<sup>2</sup>

AKMD certifies that its projected revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier. Because AKMD's projected annual revenues will exceed \$5 million, AKMD has certified to the Board on June 9, 2005, that the required notice of the transaction was posted at the workplace of the employees on the affected line on June 3, 2005, and was sent to the national offices of the labor unions representing employees on the line. *See* 49 CFR 1150.42(e).

The transaction was scheduled to be consummated on or shortly after August 8, 2005.

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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34714, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on William C. Sippel, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2832.

<sup>2</sup> AKMD indicates that it expects to execute an agreement shortly with UP to provide for AKMD's lease of the Cypress Bend Line.

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

Decided: August 22, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 05-17139 Filed 8-29-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 264X)]

#### Norfolk Southern Railway Company— Discontinuance of Service Exemption—in Sumter County, SC

Norfolk Southern Railway Company (NSR) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over a 9.8-mile rail line between milepost SB-12.20 at Foxville and milepost SB-22.00 at Hasskamp, in Sumter County, SC.<sup>1</sup> The line traverses United States Postal Service Zip Codes 29150, 29153 and 29514.

NSR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) no overhead traffic has moved over the line for at least 2 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 with the Surface Transportation Board (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 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 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

September 29, 2005,<sup>2</sup> unless stayed pending reconsideration. Petitions to stay and formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2), must be filed by September 9, 2005. Petitions to reopen must be filed by September 19, 2005, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

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

If the verified 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: August 23, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

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## DEPARTMENT OF THE TREASURY

### Public Meeting of the President's Advisory Panel on Federal Tax Reform

**AGENCY:** Department of the Treasury.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice advises all interested persons of the location of the September 8, 2005, public meeting of the President's Advisory Panel on Federal Tax Reform. This meeting was previously announced in 70 FR 49704 (August 24, 2005).

**DATES:** The meeting will be held on Thursday, September 8, 2005, in Washington, DC, and will begin at 9 a.m.

**ADDRESSES:** The meeting will be held at the Wardman Park Marriott Hotel, 2660 Woodley Road, NW., Washington, DC 20008.

**FOR FURTHER INFORMATION CONTACT:** The Panel staff at (202) 927-2TAX (927-2829) (not a toll-free call) or e-mail [info@taxreformpanel.gov](mailto:info@taxreformpanel.gov) (please do not send comments to this box). Additional information is available at <http://www.taxreformpanel.gov>.

<sup>2</sup> Because this is a discontinuance of service proceeding and not an abandonment, there is no need to provide an opportunity for trail use/rail banking or public use condition requests. Likewise, no environmental or historic documentation is required under 49 CFR 1105.6(c)(6) and 1105.8.

<sup>1</sup> On August 18, 2005, NSR informed the Board that milepost SB-22.20 stated in its notice, should be milepost 22.00.