

Washington, DC 20004, and John V. Edwards, Three Commercial Place, Norfolk, VA 23510.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Conrail is jointly controlled by CSX Corporation (CSX) and Norfolk Southern Corporation (NSC). CSX controls CSXT and NSC controls NSR. CSXT and NSR are Class I railroads; Conrail is a Class III railroad. The subject line is accessed through the North Jersey Shared Asset Area approved in *CSX Corp. et al.—Control—Conrail, Inc. et al.*, 3 S.T.B. 196 (1998).

According to petitioners, no service has been provided over this line for more than 15 years. Petitioners have submitted this petition seeking: (1) An exemption permitting them to implement the operations described in the related modified certificate in a manner described in the operating agreement between petitioners and NYCEDC; (2) a prior determination that the Board authority granted pursuant to this petition will automatically expire upon termination of the modified certificate; and (3) a determination that the grant of authority under 49 U.S.C. 11323 will not give Conrail any ratemaking, interchange, or other common carrier authority that it currently lacks.

According to petitioners, the joint use agreement will govern their joint use of the line and the coordination of their operations, and will set forth their rights and obligations thereunder. The agreement provides that the line will be operated, maintained, and dispatched by Conrail, and that it will be used by or for the equal, full, and exclusive benefit of CSXT and NSR. CSXT and NSR will have the option of providing service directly or through Conrail and will compete with each other to serve shippers on the line.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: August 18, 2006.

By the Board, Vernon A. Williams, Secretary.

**Vernon A. Williams,**  
Secretary.

[FR Doc. E6-14035 Filed 8-24-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 657X)]

#### CSX Transportation, Inc.— Abandonment Exemption—in Philadelphia County, PA

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to abandon a 0.26-mile line of railroad on its Northern Region, Baltimore Division (South Jersey CSAO), Delaware Extension, from milepost 6.27 to the end of track at milepost 6.53, known as Pier 124 Track in Philadelphia, Philadelphia County, PA. The line traverses United States Postal Service Zip Code 19148.

CSXT has certified that: (1) No traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line 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 September 26, 2006, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR

<sup>1</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.

1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by September 5, 2006. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 14, 2006, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to CSXT's representative: Steven C. Armbrust, CSX Transportation, Inc., 500 Water St., Jacksonville, FL 32202.

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

CSXT 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 September 1, 2006. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539.

[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), CSXT 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 CSXT's filing of a notice of consummation by August 25, 2007, 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 <http://www.stb.dot.gov>.

Decided: August 18, 2006.

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

**Vernon A. Williams,**  
Secretary.

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<sup>2</sup>Each OFA must be accompanied by the filing fee, which was increased to \$1,300 effective on April 19, 2006. See *Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—2006 Update*, STB Ex Parte No. 542 (Sub-No. 13) (STB served Mar. 20, 2006).