

The purpose of this transaction is to allow D&H to handle CSXT's trains between Rouses Point, NY, and CSXT's Selkirk Yard pursuant to the aforementioned haulage agreement between the parties.

As a condition to this exemption, any employees affected by the acquisition of the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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. Stay petitions must be filed by February 2, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34981, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Leigh K. Currie, Leonard, Street and Deinar, 150 South Fifth Street, Suite 2300, Minneapolis, MI 55402.

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

Decided: January 22, 2007.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E7-1252 Filed 1-25-07; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34868]

#### Columbus and Greenville Railway Company—Trackage Rights Exemption—Kansas City Southern Railway Company

Pursuant to a trackage rights agreement dated March 3, 2006, between Columbus and Greenville Railway Company (CAGY) and Kansas City Southern Railway Company (KCSR), KCSR has agreed to grant CAGY nonexclusive overhead trackage rights over KCSR's Tuscaloosa Subdivision between milepost 3.5 west of Columbus, MS (near Artesia, MS), and milepost

15.2 at the connection with the BNSF Railway Company (BNSF) at Columbus, a total distance of approximately 11.7 miles.<sup>1</sup>

The transaction is scheduled to be consummated on or after February 11, 2007 (the effective date of the exemption). The purpose of the trackage rights is to enable CAGY to provide competitive rail service to a new steel mill being constructed by SeverCorr LLC, at the Lowndes County Industrial Mega Site.<sup>2</sup>

As a condition to this exemption, any employee affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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. Stay petitions must be filed by February 2, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34868, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on John D. Heffner, John D. Heffner, PLLC, 1920 N Street, NW., Suite 800, Washington, DC 20036.

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

Decided: January 22, 2007.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E7-1254 Filed 1-25-07; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>1</sup> A redacted version of the trackage rights agreement between CAGY and KCSR was filed with the notice of exemption. The full version of the agreement, as required by 49 CFR 1180.6(a)(7)(ii), was concurrently filed under seal along with a motion for protective order. The request for a protective order is being addressed in a separate decision.

<sup>2</sup> Specifically, these rights provide CAGY direct access to handle rail traffic between the site of SeverCorr LLC, located in the Lowndes County Industrial Mega Site, at milepost 4.0 near Columbus, on the one hand, and, on the other hand (1) the Lowndes County Port at milepost 13.4, (2) the BNSF connection near milepost 15.2, (3) points on CAGY's lines, and (4) interchange points with other carriers located on CAGY lines in or east of Columbus, as they existed on October 5, 2005.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 294X);  
STB Docket No. AB-55 (Sub-No. 676X)]

#### Norfolk Southern Railway Company—Discontinuance Exemption—in Mercer County, NJ; CSX Transportation, Inc.—Discontinuance Exemption—in Mercer County, NJ

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

**ACTION:** Notice of exemption.

**SUMMARY:** The Board, on its own motion, in a decision served on January 26, 2007, is exempting Norfolk Southern Railway Company and CSX Transportation, Inc. from the prior approval requirements of 49 U.S.C. 10903 to discontinue service over a line of railroad known as the Robbinsville Industrial Track, subject to the employee protective conditions in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). The line extends between milepost 32.20± and milepost 37.90± in the cities of Hamilton Township and Washington Township, Mercer County, NJ, a distance of approximately 5.7 miles. The decision also grants a petition for reconsideration filed by Mr. James Riffin in a related docket, STB Docket No. AB-167 (Sub-No. 1185X), a proceeding in which Consolidated Rail Corporation filed a notice of exemption to abandon the instant line.

**DATES:** Any offer of financial assistance (OFA) under 49 CFR 1152.27(c) must be received by the railroad and the Board by February 5, 2007. Provided no OFA has been received, the exemptions will be effective on February 15, 2007.

**ADDRESSES:** An original and 10 copies of all pleadings referring to STB Docket No. AB-290 (Sub-No. 294X) or STB Docket No. AB-55 (Sub-No. 676X) must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. *In addition, send one copy of any pleadings to:* (1) James R. Paschall, Senior General Attorney, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510; (2) Steven C. Armbrust, Counsel, CSX Transportation, Inc., 500 Water Street, Jacksonville, FL 32202; (3) and all parties of record in STB Docket No. AB-167 (Sub-No. 1185X).

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1609.

(Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.)

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write, e-mail, or call: ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail: [asapdc@verizon.net](mailto:asapdc@verizon.net); telephone: (202) 306-4004. [Assistance for the hearing impaired is available through FIRS at 1-800-877-8339.]

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Decided: January 18, 2007.

By the Board, Chairman Nottingham, Vice Chairman Buttrey, and Commissioner Mulvey.

**Vernon A. Williams,**

Secretary.

[FR Doc. E7-1115 Filed 1-25-07; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Finance Docket No. 34982]

**James Riffin d/b/a The Northern Central Railroad—Acquisition and Operation Exemption—in Baltimore City, MD**

James Riffin d/b/a The Northern Central Railroad (NCR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and operate approximately 2.2 miles of the line formerly known as the Maryland and Pennsylvania Railroad line, located between the northerly side of the former Pennsylvania Railroad right-of-way, where the Maryland and Pennsylvania Railroad connected to the former Pennsylvania Railroad line near Pennsylvania Station, along, adjacent and parallel to Falls Road, a distance of approximately 1.4 miles, to where the Maryland and Pennsylvania Railroad right-of-way passed under 29th Street, together with the 0.8-mile long switchback that connected the Maryland and Pennsylvania Railroad to the former Baltimore and Ohio Railroad, on the north side of North Avenue, all in Baltimore City, MD.<sup>1</sup> NCR proposes to interchange with CSX Transportation, Inc., and/or Norfolk Southern Railway Company. NCR also states that no agreement has been reached, but states that agreements are expected to be

<sup>1</sup> NCR describes the line it wishes to acquire as part of the "former Maryland and Pennsylvania Railroad." If, indeed, the line is not part of an existing line of railroad, a verified notice must be filed under 49 U.S.C. 10901 and 49 CFR 1150.31, rather than 49 U.S.C. 10902 and 49 CFR 1150.41.

executed sometime after the filing of its notice.

NCR certifies that its projected annual revenues as a result of the transaction will not exceed those that would qualify it as a Class III rail carrier and will not exceed \$5 million.

The earliest this transaction may be consummated is the February 11, 2007 effective date of the exemption (30 days after the exemption was filed).

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. Petitions for stay must be filed no later than February 2, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34982, must be filed with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on James Riffin d/b/a The Northern Central Railroad, 1941 Greenspring Drive, Timonium, MD 21093.

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

Decided: January 22, 2007.

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

**Vernon A. Williams,**

Secretary.

[FR Doc. E7-1251 Filed 1-25-07; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Docket No. AB-6 (Sub-No. 430X); STB Docket No. AB-1040X]

**BNSF Railway Company—Abandonment Exemption—in Oklahoma County, OK; Stillwater Central Railroad, Inc.—Discontinuance of Service Exemption—in Oklahoma County, OK**

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

**ACTION:** Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10502(a), on its own motion, the Board is granting an individual exemption from the prior approval requirements of 49 U.S.C. 10903 for Stillwater Central Railroad, Inc. (SLWC) to discontinue service over approximately 0.95 miles of railroad in Oklahoma City, Oklahoma County, OK.

A petition to reject the notice of exemption filed by SLWC is granted. The Board is affirming BNSF Railway Company's (BNSF) use of the class exemption to abandon 2.95 miles of the line and denying a petition to reject the notice of exemption filed by BNSF.

**DATES:** The SLWC exemption will be effective on February 25, 2007. Petitions to stay must be filed by February 12, 2007. Petitions to reopen must be filed by February 20, 2007.

**ADDRESSES:** An original and 10 copies of all pleadings referring to STB Docket No. AB-6 (Sub-No. 430X) and STB Docket No. AB-1040X must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of all pleadings must be served on petitioners' representative: Sidney L. Strickland, Jr., 3050 K Street, NW., Suite 101, Washington, DC 20007.

**FOR FURTHER INFORMATION CONTACT:**

Joseph H. Dettmar, (202) 565-1609. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** On September 23, 2005, BNSF and SLWC filed a joint notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* for BNSF to abandon and SLWC to discontinue service over the aforementioned rail line. Notice of the exemptions was served and published in the **Federal Register** on October 13, 2005 (70 FR 59802), and the exemptions were scheduled to take effect on November 12, 2005. On November 9, 2005, Bio-Energy Wellness Center and North American Transportation Institute filed a petition to reject the notices.

In a decision being served simultaneously with this notice, the Board is concluding that SLWC does not qualify for the class exemption under which it filed its notice. However, on its own motion, the Board is granting SLWC an individual exemption and is publishing this notice to inform interested parties of that action.

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, e-mail, or call: ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail: [asapdc@verizon.net](mailto:asapdc@verizon.net); telephone: (202) 306-4004. [Assistance for the hearing impaired is available through FIRS at 1-800-877-8339.]

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

Decided: January 22, 2007.