play when a FVP shipper writes in a value that is obviously too low.

Under the 2001 released rates order, both the assumed valuation and the minimum valuation were set at $5,000 or $4 times the actual total weight in pounds of the shipment, whichever is greater. 5 S.T.B. at 1149. Recently, the Board authorized HHG carriers to make annual inflation adjustments to the $4-per-pound figure, based on the percentage changes since a base year, by applying a commonly used index.[2] *See Released Rates of Motor Common Carriers of Household Goods,* Amendment No. 4 to Released Rates Decision No. MC–999 (STB served July 26, 2006).

At the time the Board authorized the $4-per-pound figure, a moving industry group estimated that the average actual (depreciated) value of HHG shipments was $4.50 per pound.[3] 5 S.T.B. at 1154. Thus, the approved $4-per-pound figure approximated the then-default level of carrier liability: Actual (depreciated) value. As previously explained, the default level of liability is now the replacement value of the HHG, not the depreciated value. Because the $4-per-pound figure, even as adjusted by the CPI–U, likely is nowhere near the new statutory default level of liability (i.e., replacement value), it would be more appropriate to apply a new per-pound value that reasonably approximates the average replacement cost of a HHG shipment. Therefore, we solicit the public's comment on an appropriate new figure for a minimum and assumed per-pound value.[4]

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

Decided: June 11, 2007.

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

Vernon A. Williams,

Secretary.

[FR Doc. E7–11722 Filed 6–15–07; 8:45 am]

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[2] The index is the Consumer Price Index—All Urban Consumers (All Items), published by the Bureau of Labor Statistics of the United States Department of Labor (CPI–U).

[3] The industry group was the Household Goods Carriers' Bureau Committee, which is composed of HHG carriers.

[4] We will not eliminate the $4-per-pound minimum while we develop a new minimum valuation because the $4 level at least provides some protection for shippers who do not declare a value, or who use unscrupulous movers who might suggest unconscionably low declared values for HHG shipments.

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 35026]

Napa-Platte Regional Railroad Authority—Modified Rail Certificate

On May 15, 2007, Napa-Platte Regional Rail Authority (NPRRA), a noncarrier, filed a notice for a modified certificate of public convenience and necessity under 49 CFR 1150, Subpart C, *Modified Certificate of Public Convenience and Necessity,* to operate approximately 41.1 miles of rail line extending from milepost 13.4+/−, near Tabor, to milepost 54.5, near Ravinia, SD (Tabor-Ravinia line or line).[1]

The entire line, from Napa to Platte (entire line), was formerly a part of the Chicago, Milwaukee, St. Paul & Pacific Railroad Company and was authorized for abandonment by the Interstate Commerce Commission in *Richard B. Ogilvie, Trustee of the Property of Chicago, Milwaukee, St. Paul & Pacific Railroad Company—Abandonment—in South Dakota, Iowa and Nebraska,* Docket No. AB–7 (Sub-No. 88) (ICC served May 14, 1980). Although authorized for abandonment, the entire line was subsequently acquired by the State of South Dakota. The State of South Dakota then leased it to NPRRA in 1981. Since then, the entire line has been operated as needed by sublessees pursuant to modified certificates of public convenience and necessity. At milepost 0.0, the line has interchange capability with BNSF Railway Company (BNSF) and, through a haulage agreement with BNSF (convertible to trackage rights), access to Canadian National Railway Company, Union Pacific Railroad Company, and certain other South Dakota short lines.

The rail segment qualifies for a modified certificate of public convenience and necessity. *See Common Carrier Status of States, State Agencies and Instrumentalities and Political Subdivisions,* Finance Docket No. 28990F (ICC served July 16, 1981).

[1] The Tabor-Ravinia line is a segment of a larger line leased by NPRRA from the State of South Dakota. The entire line extends from milepost 0.0 in Napa County, SD, to milepost 83.3 in Platte, SD, and consists of three segments (the Napa-Tabor line, from milepost 0.0 to milepost 13.4+/−, the Tabor-Ravinia line, and the Ravinia-Platte line, from milepost 54.4 to milepost 83.3). With the filing of this notice for a modified certificate on the Tabor-Ravinia line, NPRRA simultaneously filed a notice for a lease and operation exemption on the Napa-Tabor line (STB Finance Docket No. 35025). Additionally, The South Dakota Department of Transportation has filed a notice to terminate an existing modified certificate and a notice of interim trail use on the Ravinia-Platte line (STB Finance Docket No. 31874).

According to NPRRA, the State of South Dakota is engaged in negotiations to sell the Tabor-Ravinia line, along with the Napa-Tabor line, to Wagner Native Energy, LLC (Wagner). If that sale is consummated, NPRRA states that it will assign all of its rights in both the Tabor-Ravinia and Napa-Tabor lines to Wagner. NPRRA anticipates that Wagner would then operate these lines as a common carrier, through the use of a third-party rail carrier.

Currently, the Tabor-Ravinia line is out of service and NPRRA states that the line would need to be rehabilitated before actual rail operations can be recommenced. NPRRA anticipates that the sale of the Tabor-Ravinia line to Wagner will facilitate that rehabilitation. If operations were to recommence prior to the anticipated sale of the line to Wagner, NPRRA indicates that it would provide service through a third-party contract operator or a temporary sublease of the line to a third-party rail carrier. NPRRA continues that, in the event that it engages the services of a third-party rail carrier, it will require that the carrier obtain adequate liability insurance coverage.

NPRRA indicates that, at this time, it is not anticipated that there will be any subsidizers of the line, and that, while it is conceivable that NPRRA may receive railroad trust funds for rehabilitation of the line from the State of South Dakota, no such plans currently exist.

This notice will be served on the Association of American Railroads (Car Service Division) as agent for all railroads subscribing to the car-service and car-hire agreement: Association of American Railroads, 50 F Street, NW., Washington, DC 20001; and on the American Short Line and Regional Railroad Association: American Short Line and Regional Railroad Association, 50 F Street, NW., Suite 7020, Washington, DC 20001.

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

Decided: June 7, 2007.

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

Vernon A. Williams,

Secretary.

[FR Doc. E7–11469 Filed 6–15–07; 8:45 am]

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