

copying at the NYSE's principal office and on its Internet Web site at <http://www.nyse.com>. 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-NYSE-2009-125 and should be submitted on or before January 14, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>20</sup>

**Florence E. Harmon,**  
Deputy Secretary.

[FR Doc. E9-30542 Filed 12-23-09; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35335]

#### Freedom Rail Management, LLC— Acquisition of Control Exemption— Columbia & Reading Railway Co.

Freedom Rail Management, LLC (FRM), a noncarrier, has filed a verified notice of exemption to acquire control of Columbia & Reading Railway Co. (CORY), a class III rail carrier. Pursuant to a Membership Interest Purchase Agreement between FRM and Railway Management, Inc. (RMI),<sup>1</sup> FRM seeks to purchase a 51 percent membership interest in CORY.<sup>2</sup> FRM currently controls Claremont Concord Railroad (CCRR), a Class III rail carrier. CCRR owns 2 miles of rail line in Claremont, NH, and leases 2 miles of rail line in Lebanon, NH, from the New Hampshire Department of Transportation.

The transaction is expected to be consummated on or after January 10, 2010, the effective date of the exemption.

*FRM states that:* (i) The railroads will not connect with each other; (ii) the acquisition of control is not part of a series of anticipated transactions that would connect the railroads with each other; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory

obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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. 35335 must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Jeffrey O. Moreno, 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: December 18, 2009.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. E9-30602 Filed 12-23-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Supplemental Draft Environmental Impact Statement: Northwest I-75/I- 575 Corridor, Cobb and Cherokee Counties, GA (Atlanta Metropolitan Area)

**AGENCY:** Federal Highway  
Administration (FHWA), USDOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the interested parties (public, agencies and tribal governments) that a supplemental draft environmental impact statement (SDEIS) will be prepared for proposed highway improvements on Interstate 75 and Interstate 575 (I-75/I-575) in Cobb and Cherokee Counties, Georgia. The length of the proposed project is 30.70 miles.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rodney Barry, Federal Highway Administration, 61 Forsyth Street, Suite 17T100, Atlanta, Georgia, Telephone: 404-562-3630, E-mail: [rodney.barry@fhwa.dot.gov](mailto:rodney.barry@fhwa.dot.gov).

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with Georgia Department of Transportation (GDOT) will prepare a SDEIS to consider environmental impacts of proposed transportation improvements to I-75 and I-575 in the Atlanta metropolitan area. These improvements are collectively referred to as the Northwest Corridor project and are located within the project area, which extends northwesterly along I-75 in Cobb County from I-285 through Marietta, Kennesaw and into Acworth. Within the project area, I-575 extends from I-75 northeasterly into Cherokee County.

A notice of intent announcing the preparation of an environmental impact statement was published in the **Federal Register** on March 9, 2004. FHWA and GDOT issued the Alternative Analysis/Draft Environmental Impact Statement (AA/DEIS) in May 2007.

The AA/DEIS evaluated four build alternatives, three design options and two operational options. The build alternatives included the high-occupancy vehicles (HOV) and truck only lanes (TOL) Alternative, the HOV/TOL/Transportation System Management (TSM) Alternative, the HOV/TOL/Bus Rapid Transit (BRT) Alternative, and the HOV/TOL/Reduced BRT Alternative. The SDEIS will evaluate a proposal that would consist of a two-lane reversible managed alternative and improvements to operations will be analyzed in the SDEIS.

An agency meeting will be held during the development of the SDEIS. Numerous opportunities for public input will be provided. The Northwest Corridor project Web site will be updated to include the SDEIS and there will be outreach to local and state-wide media. Letters describing the new alternative and soliciting comments will be sent to the public, private entities, Federal, State and local agencies. Formal public hearings will take place along the corridor. Public notice will be given announcing the time and place of the public hearings. The SDEIS will be available for public and agency review prior to the public hearings. Comments and questions should be directed to FHWA at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program. Georgia's approved clearinghouse review procedures apply to this program.)

<sup>20</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> RMI is a noncarrier that currently holds a 100% ownership interest in CORY.

<sup>2</sup> CORY owns 2.5 miles of rail line in Lancaster County, PA.