

4. This decision is effective on May 18, 2011.

Decided: May 12, 2011.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

**Jeffrey Herzig,**  
Clearance Clerk.

### Appendix: Procedural Schedule

April 18, 2011 .....	Application and Proposed Procedural Schedule filed.
May 18, 2011 .....	Board notice of acceptance of application published in the <b>FEDERAL REGISTER</b> .
June 2, 2011 .....	Notices of intent to participate in this proceeding due.
June 17, 2011 .....	All comments, protests, requests for conditions, and any other evidence and argument in opposition to the application, including filings of DOJ and DOT, due.
July 5, 2011 .....	Responses to comments, protests, requests for conditions, and other opposition due. ADBF's rebuttal in support of the application due.
TBD .....	A public hearing or oral argument may be held.
August 19, 2011 .....	Final decision to be served.
September 18, 2011 .....	Final decision to become effective.

[FR Doc. 2011-12130 Filed 5-17-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35502]

#### Northern Plains Railroad, Inc.—Intra-Corporate Family Operation Exemption—Mohall Central Railroad, Inc.

Northern Plains Railroad, Inc. (NPR), a Class III rail common carrier, has filed a verified notice of exemption under 49 CFR 1180.2(d)(3) for a transaction within a corporate family. The transaction allows NPR to continue to operate the rail line of Mohall Central Railroad, Inc. (MHC), also a Class III rail carrier.<sup>1</sup> NPR currently operates the MHC line pursuant to an October 18, 2005 Operating Agreement with MHC;<sup>2</sup> however, since MHC became a Class III rail carrier, it has abandoned 2 segments of its rail line.<sup>3</sup> This transaction allows NPR to enter into a new agreement to continue to operate the remaining 19.31 miles of MHC's line, between milepost 48.19, near Munich, and milepost 67.5, near Calvin. NPR, MHC, and a third Class III rail carrier, Mohall Railroad,

<sup>1</sup> See *Mohall Cent. R.R.—Acquis. & Operation Exemption—Rail Line of BNSF Ry.*, FD 34759 (STB served Oct. 25, 2005).

<sup>2</sup> See *N. Plains R.R.—Operation Exemption—Rail Line of Mohall Cent. R.R.*, FD 34780 (STB served Dec. 29, 2005) (serving notice that NPR will operate 69.15 miles of rail line owned by MHC, extending from milepost 3.75, near Lakota, N.D., to milepost 72.9, at Sarles, N.D.).

<sup>3</sup> See *Mohall Cent. R.R.—Aban. Exemption—in Cavalier County, N.D.*, AB 1003 (Sub-No. 1X) (STB served Dec. 16, 2010) (serving notice that MHC will abandon the segment of its line between milepost 67.5, near Calvin, N.D., and milepost 72.9, at Sarles) and *Mohall Cent. R.R.—Aban. Exemption—in Nelson, Ramsey, & Cavalier Counties, N.D.*, AB 1003X (STB served Oct. 29, 2007) (serving notice that MHC will abandon the segment of its line between milepost 3.75, near Lakota, and milepost 48.19, near Munich, N.D.).

Inc., are commonly controlled by Gregg Haug, a noncarrier individual.<sup>4</sup>

The transaction is expected to be consummated on June 1, 2011, the effective date of this exemption (30 days after the exemption was filed).

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). According to NPR, the transaction will not result in adverse changes in service levels, significant operational changes, or changes in the competitive balance with carriers outside the corporate family.

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 §§ 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the 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 May 25, 2011 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35502, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606.

<sup>4</sup> See *Gregg Haug—Continuance in Control Exemption—N. Plains R.R.*, FD 34828 (STB served May 10, 2006).

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

Decided: May 12, 2011.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2011-12164 Filed 5-17-11; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

May 13, 2011.

The Department of the Treasury will submit the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. A copy of the submissions may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding these information collections should be addressed to the OMB reviewer listed and to the Treasury PRA Clearance Officer, Department of the Treasury, 1750 Pennsylvania Avenue, NW., Suite 11010, Washington, DC 20220.

**DATES:** Written comments should be received on or before June 17, 2011 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-NEW.

*Type of Review:* New collection.

*Title:* Request for Miscellaneous Determination.

*Form:* 8940.

*Abstract:* Form 8940 will standardize information collection procedures for nine categories of individually written