

notifies prospective purchasers about the exemption and its subject. Under § 555.9(c), this information must also be included on the vehicle's certification label.⁵

In consideration of the foregoing, we conclude that granting the requested exemption from FMVSS No. 126, *Electronic Stability Control Systems*, would facilitate the field evaluation or development of a low-emission vehicle, and would not unreasonably lower the safety or impact protection level of that vehicle. We further conclude that granting this exemption would be in the public interest and consistent with the objectives of the Safety Act.

In accordance with 49 U.S.C. 30113(b)(3)(B)(iii), Wheego is granted NHTSA Temporary Exemption No. EX 12-01 from FMVSS No. 126. The exemption is for a total of no more than 165 LiFe model vehicles and shall be effective from the date on which notice of this decision is published in the **Federal Register** until December 31, 2012, as indicated in the **DATES** section of this document.

Authority: 49 U.S.C. 30113; delegations of authority at 49 CFR 1.50. and 501.8.

Issued on: August 2, 2012.

Ronald L. Medford,
Deputy Administrator.

[FR Doc. 2012-19720 Filed 8-9-12; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. AB 314 (Sub-No. 5X)]

Chicago Central and Pacific Railroad Company—Abandonment Exemption—in Cook County, IL

Chicago Central and Pacific Railroad Company (CCP) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 1.59-mile line of railroad between milepost 11.88 and milepost 13.47, in North Riverside, Cook County, Ill. The line traverses United States Postal Service Zip Codes 60546 and 60130.

CCP has certified that: (1) No local traffic has moved over the line for the past two years; (2) there is no overhead traffic on the line to 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 Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental 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 Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 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 11, 2012, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by August 20, 2012. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28³ must be filed by August 30, 2012, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to CCP's representative: Thomas J. Healey, 17641 S. Ashland Avenue, Homewood, IL 60430-1345.

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

CCP has filed a combined environmental and historic report that

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. 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.

² Each OFA must be accompanied by the filing fee, which is currently set at \$1,500. See 49 CFR 1002.2(f)(25).

³ CCP states that it is not the owner of the underlying right-of-way (ROW) and it believes that the ROW would not be of interest to the state or any other entity as a highway or mass transportation line or other similar public use because the ROW is located in a highly developed urban area with a mature roadway system.

addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by August 17, 2012. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service 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), CCP 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 CCP's filing of a notice of consummation by August 10, 2013, 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 "WWW.STB.DOT.GOV."

Decided: August 7, 2012.

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

Derrick A. Gardner,
Clearance Clerk.

[FR Doc. 2012-19642 Filed 8-9-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

Information Collection Activities (Released Rates)

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice and Request for Comments.

SUMMARY: As required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3519 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek from the Office of Management and Budget (OMB) approval of the information collections (here third-party disclosures) required under the Board's decision in *Released Rates of Motor Common Carriers of Household Goods*, Docket No. RR 999 (Amendment No. 5) (served Jan. 21, 2011 (2011 Decision) and Jan.10, 2012

⁵ Wheego's label is required to list both its exemption from FMVSS No. 126 and its exemption from the advanced air bag requirements of FMVSS No. 208.

(2012 Decision) and modified on May 15, 2012). Under 49 U.S.C. 13501, 13531, and 14706(f)(2), the Board is charged with oversight of certain motor carrier tariffs (the published rates that interstate movers of household goods charge for the services they offer). More specifically, the Interstate Commerce Act requires that such a mover offer what are known as “full-value” rates, which are rates under which the mover will be liable for the full value of any lost or damaged cargo. Full-value has been defined by statute to mean the “replacement value” of the goods (the cost to the consumer to replace the items lost or damaged (49 CFR 375.201)). Additionally, the Board and its predecessor agency, the Interstate Commerce Commission, have authorized moving companies to offer consumers a lower, “released” rate under which the carrier is released from full liability for lost or damaged cargo and assumes less than the statutory level of cargo liability for an interstate move.

In its 2011 Decision and notice (76 FR 5,431), the Board issued preliminary regulations implementing a Congressional directive to enhance consumer protection in the case of loss or damage that occurs during interstate household-good moves. See *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)*, § 4215, Public Law 109–59, 119 Stat. 1144, 1760 (2005). The 2011 Decision required movers to provide certain information concerning the two available cargo-liability options on the written estimate form—the first form that a moving company must give to a customer. In response to comments, the 2012 Decision modified the disclosure requirements proposed in the 2011 Decision (See 77 FR 15187–01). Subsequently, in response to further public comments, the Board issued a March 9, 2012 decision and notice postponing the effective date of the new requirements until May 15 (See 77 FR 15187–01). These disclosure requirements, which fall within the definition of information collections under the PRA (see 44 U.S.C. 3502(3) and 5 CFR 1320.3(c)), are described in more detail below and appear in full in the appendices to this notice.

Comments are requested concerning: (1) The accuracy of the Board’s burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of

information technology when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board’s request for OMB approval.

Description of Collections

Title: Disclosure of released rates.
OMB Control Number: 2140–NEW.
STB Form Number: None.

Type of Review: Existing collections in use without an OMB control number.

Respondents: Household goods movers that desire to offer a rate limiting their liability on interstate moves to anything less than replacement value of the goods.

Number of Respondents: 4,500 (approximate number of motor carriers and freight forwarders involved in authorized for-hire household goods carriage in the United States according to AMSA (American Moving and Storage Association).

Frequency: One time. (Movers need only modify the standard documents that they already distribute.)

Total Burden Hours (annually including all respondents): We estimate that 15 of the approximately 4,500 household goods movers are large firms that print their own forms and that it will take each of these large firms no more than 24 hours to produce the modified forms, resulting in a total start-up burden of 360 hours (24 × 15). Annualized over the three years covered by OMB’s approval, this results in an annual burden of 120 hours. The household goods carrier already knows its released rate. It is merely adding that rate to a document that it already distributes to the customer.

Total “Non-hour Burden” Cost: There will be a startup cost to the remaining approximately 4485 movers/freight forwarders that are small companies that will use the services of a professional printer to replace their existing stock of outdated forms (estimated at 500 copies). This cost is expected to be \$460 per mover, based on information supplied by the American Moving & Storage Association. Therefore, the total non-hour burden cost is estimated at a one-time expense of \$2,063,100. Annualized over the three years covered by OMB’s approval, this results in an annual burden of \$687,700.

Needs and Uses: Moving companies must inform consumers of their rights and obtain a signed waiver if the consumer elects anything other than full-value protection. See *Released*

Rates of Motor Common Carriers of Household Goods, RR 999 (Amendment No. 4) (STB served June 13, 2007). Previously, consumers were sometimes confused and did not realize that they had waived full value protection until after they had experienced damage to or loss of their goods. The information collection that is the subject of this notice is intended to correct this problem by providing early notice regarding the two liability options (full-value protection and the lower released-rate protection), as well as adequate time and information to help consumers decide which option to choose.

DATES: Comments on this information collection should be submitted by October 9, 2012.

ADDRESSES: Direct all comments to Marilyn Levitt, Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001, or to levittm@stb.dot.gov. When submitting comments, please refer to “Paperwork Reduction Act Comments, Motor Carrier Released Rates.”

FOR FURTHER INFORMATION CONTACT:

Marilyn Levitt at (202) 245–0269 or at levittm@stb.dot.gov. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.]

SUPPLEMENTARY INFORMATION: Under the PRA, a Federal agency conducting or sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 C.F.R. 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under § 3506(c)(2)(A) of the PRA, Federal agencies are required to provide, prior to an agency’s submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: August 6, 2012.

Jeffrey Herzig,
Clearance Clerk.

Appendix 1

Notice Required on Estimate Form/Computer Screen

The following notice shall be placed in a prominent place, in at least 12-point type, on a moving company’s required written estimate (if printed). If the estimate is provided electronically, this statement must be of a size that, when printed on 8 by 12 inch paper, equates to 12-point type.

WARNING: If a moving company loses or damages your goods, there are 2 different standards for the company's liability based on the types of rates you pay. BY FEDERAL LAW, THIS FORM MUST CONTAIN A FILLED-IN ESTIMATE OF THE COST OF A MOVE FOR WHICH THE MOVING COMPANY IS LIABLE FOR THE FULL (REPLACEMENT) VALUE OF YOUR GOODS in the event of loss of, or damage to, the goods. This form may also contain an estimate of the cost of a move in which the moving company is liable for FAR LESS than the replacement value of your goods, typically at a lower cost to you. You will select the liability level later, on the bill of lading (contract) for your move. Before selecting a liability level, please read "Your Rights and Responsibilities When You Move," provided by the moving company, and seek further information at the government Web site www.protectyourmove.gov.

Appendix 2

Valuation Statement Required on Bill of Lading

The following notice shall be placed in a prominent place, in at least 10-point type, on a moving company's required bill of lading (if printed). If the bill of lading is provided electronically, this statement must be of a size that, when printed on 8 by 12 inch paper, equates to 10-point type.

REQUIRED VALUATION CLAUSE AND ESTIMATE OF COST OF SHIPMENT AT FULL-VALUE PROTECTION

THE CONSUMER MUST SELECT ONE OF THESE OPTIONS FOR THE CARRIER'S LIABILITY FOR LOSS OR DAMAGE TO YOUR HOUSEHOLD GOODS

CUSTOMER'S DECLARATION OF VALUE THIS IS A STATEMENT OF THE LEVEL OF CARRIER LIABILITY—IT IS NOT INSURANCE

Option 1:

The Cost Estimate that you receive from your mover MUST INCLUDE Full (Replacement) Value Protection for the articles that are included in your shipment. If you wish to waive the Full (Replacement)

Value level of protection, you must complete the WAIVER of Full (Replacement) Value Protection shown below.

Full (Replacement) Value Protection is the most comprehensive plan available for protection of your goods. If any article is lost, destroyed, or damaged while in your mover's custody, your mover will, at its option, either: 1) repair the article to the extent necessary to restore it to the same condition as when it was received by your mover, or pay you for the cost of such repairs; or 2) replace the article with an article of like kind and quality, or pay you for the cost of such a replacement. Under Full (Replacement) Value Protection, if you do not declare a higher replacement value on this form prior to the time of shipment, the value of your goods will be deemed to be equal to \$6.00 multiplied by the weight (in pounds) of the shipment, subject to a minimum valuation for the shipment of \$6,000. Under this option, the cost of your move will be composed of a base rate plus an added cost reflecting the cost of providing this full value cargo liability protection for your shipment.

If you wish to declare a higher value for your shipment than these default amounts, you must indicate that value here. Declaring a higher value may increase the valuation charge in your cost estimate.

The Total Value of my shipment is: _____ (to be provided by customer) Dollar Estimate of the cost of your move at Full (Replacement) Value Protection: _____ (to be provided by carrier)

I acknowledge that for my shipment I have: 1) ACCEPTED the Full (Replacement) Level of protection included in this estimate of charges and declared a higher Total Value of my shipment (if appropriate); and 2) received a copy of the "Your Rights and Responsibilities When You Move" brochure explaining these provisions.

X _____ Date Customer's signature

—OR— Option 2:

WAIVER of Full (Replacement) Value Protection. This lower level of protection is provided at no additional cost beyond the base rate; however, it provides only minimal protection that is considerably less than the

average value of household goods. Under this option, a claim for any article that may be lost, destroyed, or damaged while in your mover's custody will be settled based on the weight of the individual article multiplied by 60 cents. For example, the settlement for an audio component valued at \$1,000 that weighs 10 pounds would be \$6.00 (10 pounds times 60 cents).

Dollar Estimate of the cost of your move under the 60-cents option: _____

COMPLETE THIS PART ONLY if you wish to WAIVE The Full (Replacement) Level of Protection included in the higher cost estimate provided [above] [on the prior page] for your shipment and instead select the LOWER Released Value of 60-cents-per-pound Per Article; to do so you must initial and sign on the lines below.

I wish to Release My Shipment to a Maximum Value of 60-cents-per-pound per Article.

(Initials)

I acknowledge that for my shipment I have: 1) WAIVED the Full (Replacement) Level of protection, for which I have received an estimate of charges, and 2) received a copy of the "Your Rights and Responsibilities When You Move" brochure explaining these provisions.

X _____ Customer's signature

_____ Date

Appendix 3

(Optional language that carriers may choose to include in the Required Valuation Clause printed in Appendix 2)

Deductibles

You may also select one of the following deductible amounts under the Full (Replacement) Value level of liability that will apply for your shipment. (If you do not make a selection, the "No Deductible" level of full value protection that is included in your cost estimate will apply):

[List here all deductibles offered, with a space to fill in the estimate of cost of a full value move at that deductible filled in]

Amount of Deductible and (Estimate of Total Cost Move)

Customer to write initials beside selected of deductible

Table with 2 columns: Deductible amount and Customer initials. Rows include \$0, \$XXX, and \$XXX Deductible options.

And so on.

Declaration of Article(s) of Extraordinary (Unusual) Value

I acknowledge that I have prepared and retained a copy of the "Inventory of Items Valued in Excess of \$100 Per Pound per Article" that are included in my shipment and that I have given a copy of this inventory to the mover's representative. I also acknowledge that the mover's liability for loss of or damage to any article valued in excess of \$100 per pound will be limited to

\$100 per pound for each pound of such lost or damaged article(s) (based on actual article weight), not to exceed the declared value of the entire shipment, unless I have specifically identified such articles for which a claim for loss or damage may be made, on the attached inventory.

X _____ Customer's signature

_____ Date

Appendix 4

The following notice shall be placed on the bill of lading for household goods shipments involving a motor carrier segment and an ocean segment.

The provisions of the Carriage of Goods by the Sea Act and/or of 49 U.S.C. 14706(f)(2) (a provision in the Interstate Commerce Act) permit us to offer "released" rates (reduced rates under which you will not be fully reimbursed if your shipment is lost, damaged, or destroyed), but they also require

that we offer rates that will better protect a consumer in the event of loss or damage to a shipment. Under the rates offered here, your reimbursement in the event of loss will be limited to _____.

We also offer higher levels of protection (at higher rates). Signing this document below indicates that you agree to pay and be bound by the terms of the released, limited-recovery rates.

X

Customer's signature _____

Date _____

[FR Doc. 2012-19596 Filed 8-9-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35637]

Watco Holdings, Inc.—Continuance in Control Exemption—Pecos Valley Permian Railroad, L.L.C. d/b/a Pecos Valley Southern Railway Company

Watco Holdings, Inc. (Watco), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Pecos Valley Permian Railroad, L.L.C. d/b/a Pecos Valley Southern Railway Company (PVR), upon PVR's becoming a Class III rail carrier. Watco owns, indirectly, 100 percent of the issued and outstanding stock of PVR, a Texas limited liability company.

This transaction is related to a concurrently filed verified notice of exemption in *Pecos Valley Permian Railroad, L.L.C. d/b/a Pecos Valley Southern Railway—Lease Exemption—Pecos Valley Southern Railway*, Docket No. FD 35636, wherein PVR seeks Board approval to lease and operate approximately 24 miles of rail line owned by Pecos Valley Southern Railway Company between Pecos, Tex., and a point north of Saragosa, Tex.

The transaction may be consummated on or after August 26, 2012, the effective date of the exemption (30 days after the notice of exemption was filed).

Watco is a Kansas corporation that currently controls, indirectly, one Class II rail carrier, operating in two states, and 25 Class III rail carriers, operating in 21 states.¹ For a complete list of these rail carriers, and the states in which they operate, see Watco's notice of exemption filed on July 27, 2012. The

¹ Watco notes that it has filed for Board approval to continue in control of San Antonio Central Railroad (SAC) upon SAC's becoming a Class III railroad by leasing and operating a four-mile line of railroad in San Antonio, Tex. See *Watco Holdings, Inc.—Continuance in Control Exemption—San Antonio Cent. R.R.*, FD 35604 (STB served June 15, 2012).

notice is available on the Board's Web site at "WWW.STB.DOT.GOV."

Watco represents that: (1) The rail lines to be operated by PVR do not connect with any of the rail lines operated by the carriers in the Watco corporate family; (2) the continuance in control is not a part of a series of anticipated transactions that would result in such a connection; and (3) 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).

Watco states that the purpose of the transaction is to reduce overhead expenses, coordinate billing, maintenance, mechanical, and personnel policies and practices of its rail carrier subsidiaries and thereby improve the overall efficiency of rail service provided by the railroads in the Watco 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. Because the transaction involves the control of one Class II and one or more Class III rail carriers, the transaction is subject to the labor protection requirements of 49 U.S.C. 11326(b) and *Wisconsin Central Ltd.—Acquisition Exemption—Lines of Union Pacific Railroad*, 2 S.T.B. 218 (1997).

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 effectiveness of the exemption. Petitions for stay must be filed by August 17, 2012 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35637, 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 Karl Morell, Ball Janik LLP, 655 Fifteenth Street NW., Suite 225, Washington, DC 20005.

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

Decided: August 6, 2012.

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

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2012-19651 Filed 8-9-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35636]

Pecos Valley Permian Railroad, L.L.C. d/b/a Pecos Valley Southern Railway Company—Lease Exemption—Pecos Valley Southern Railway Company

Pecos Valley Permian Railroad, L.L.C. d/b/a Pecos Valley Southern Railway Company (PVR), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1150.31 to lease from the Pecos Valley Southern Railway Company (PVS) and operate 24 miles of rail line located between milepost 0.0 at Pecos, Tex., and milepost 24.0, north of Saragosa, Tex.

This transaction is related to a concurrently filed verified notice of exemption in *Wacto Holdings, Inc.—Continuance in Control Exemption—Pecos Valley Permian Railroad, L.L.C. d/b/a Pecos Valley Southern Railway*, Docket No. FD 35637, wherein Watco Holdings, Inc., seeks Board approval to continue in control of PVR upon PVR's becoming a Class III rail carrier.

As a result of this transaction, PVR will provide common carrier rail service over the rail lines owned by PVS between Pecos and Saragosa. PVR states that the lease agreement between PVS and PVR will not contain any interchange commitments.

PVR certifies that its projected annual revenues as a result of this transaction will not result in PVR's becoming a Class II or Class I rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

The transaction is expected to be consummated on or after August 26, 2012, the effective date of the exemption (30 days after the notice of 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 effectiveness of the exemption. Petitions for stay must be filed by August 17, 2012 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35636, 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 Karl Morell, Ball Janik LLP, 655 Fifteenth Street NW., Suite 225, Washington, DC 20005.