

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[Docket No. FD 35682]

**Decatur Junction Railway Co.—
Acquisition and Operation
Exemption—Line of Illinois Central
Railroad Company**

Decatur Junction Railway Co. (DJR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from Illinois Central Railroad Company (IC), and to operate, approximately 4.4 miles of rail line between milepost 745.54 near Elwin and milepost 749.94 near Decatur, in Macon County, Ill. (the Line).

DJR currently leases from IC, and operates, 17 miles of rail line between milepost 745.54 near Elwin and milepost 728.0 near Assumption, Ill.¹ DJR also has incidental trackage rights over the Line and over IC's trackage north of milepost 749.94 for purposes of interchange with IC at Decatur, Ill., and for transit of DJR's equipment to DJR's line between Decatur and Cisco, Ill.

DJR states that, pursuant to an agreement between the parties, DJR intends to purchase, operate, maintain, and perform all rail common carrier service on the Line. DJR also states that the agreement contains no restrictions on interchange, and that it will operate the Line as part of its existing rail line between Elwin and Assumption.

The transaction is expected to be consummated on or about November 12, 2012. The earliest this transaction can be consummated is November 10, 2012, the effective date of the exemption.

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

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 to stay must be filed no later than November 2, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35682, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In

¹ See *Decatur Terminal Ry.—Lease and Operation Exemption—Lines in Illinois*, FD 32365 (ICC served Oct. 18, 1993, as corrected Oct. 26, 1993).

addition, a copy of each pleading must be served on Daniel A. LaKemper, General Counsel, Decatur Junction Railway Co., 1318 S. Johanson Road, Peoria, IL 61607.

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

Decided: October 23, 2012.

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

Derrick A. Gardner,
Clearance Clerk.

[FR Doc. 2012-26373 Filed 10-25-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[Docket No. FD 35678]

**Turtle Creek Industrial Railroad, Inc.—
Acquisition and Operation
Exemption—Consolidated Rail
Corporation**

Turtle Creek Industrial Railroad, Inc. (TCKR), a noncarrier and a wholly owned corporate subsidiary of Dura-Bond Industries, Inc. (Dura-Bond), has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Consolidated Rail Corporation (Conrail) and to operate approximately 9.8 miles of rail line between milepost 0.9 at or near Trafford, and milepost 10.7 at or near Export, in Westmoreland County, Pa.¹

The transaction may not be consummated prior to November 9, 2012 (30 days after the notice of exemption was filed).

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

¹ TCKR states that it acquired the involved line from Conrail in 1982. Applicant indicates that it obtained a certificate of public convenience and necessity from the Pennsylvania Public Utility Commission "under the misconception that the Commonwealth of Pennsylvania had authority to regulate intrastate rail transportation," apparently thinking it needed no additional authority. According to TCKR, it has operated as a Class III common carrier providing interstate rail service, primarily for Dura-Bond, without first obtaining authority from the Board's predecessor, the Interstate Commerce Commission (ICC). TCKR states that a significant portion of its track was washed out in 2009 and that no rail service has been provided since that time. TCKR further states that it now wishes to abandon the line and convey the right-of-way to Westmoreland County for recreational trail purposes. In order to proceed with its objectives, TCKR has filed this notice to correct its failure to obtain authority from the ICC. While the verified notice indicates that TCKR is seeking an exemption to authorize the acquisition "*nunc pro tunc*" (retroactively), TCKR's authority will be effective prospectively from November 9, 2012.

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 to stay must be filed no later than November 2, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35678, 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 Richard R. Wilson, 518 N. Center St., Ste. 100, Ebensburg, PA 15931.

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

Decided: October 23, 2012.

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

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. 2012-26420 Filed 10-25-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[Docket No. FD 35684]

**Iowa Pacific Holdings, LLC and
Permian Basin Railways—Control
Exemption—Cape Rail, Inc. and
Massachusetts Coastal Railroad, LLC**

Iowa Pacific Holdings, LLC (Iowa Pacific) and its wholly owned subsidiary, Permian Basin Railways (Permian), Cape Rail, Inc. (Cape), P. Christopher Podgurski (Podgurski), Andrew Reardon (Reardon), and Massachusetts Coastal Railroad, LLC (Mass Coastal) (collectively, applicants) have filed a verified notice of exemption for Iowa Pacific and Permian to acquire indirect control of Mass Coastal, a Class III rail carrier, through Permian's acquisition of an 80% stock interest in Cape, the parent company of Mass Coastal, from the two existing Cape shareholders, Podgurski and Reardon.¹ As a result of the proposed transaction, Iowa Pacific and Permian will indirectly control Mass Coastal. Podgurski and Reardon will continue to own the remaining 20% of Cape's shares. Iowa

¹ On October 12, 2012, applicants filed a motion for protective order pursuant to 49 CFR 1104.14 to protect the exchange of information by the parties in this proceeding. That motion will be addressed in a separate decision.

Pacific has created an independent voting trust to acquire and hold the Cape shares, and to provide for control of Mass Coastal, until Board approval is received through the notice of exemption procedure.²

Through Permian, Iowa Pacific currently controls indirectly the following seven Class III rail carriers in the United States: Austin & Northwestern Railroad Company, Inc. (operating as the Texas-New Mexico Railroad), Chicago Terminal Railroad, Mount Hood Railroad, San Luis & Rio Grande Railroad, Saratoga & North Creek Railway, the West Texas & Lubbock Railway Company, and the Santa Cruz and Monterey Bay Railway Company. In addition, Iowa Pacific directly controls the Rusk, Palestine & Pacific Railroad. Cape currently owns Mass Coastal and Cape Cod Central Railroad (Cape Cod), an intrastate passenger excursion railroad.

Mass Coastal operates a network of about 100 miles of track and trackage rights in southeastern Massachusetts and on Cape Cod. Applicants state that the purpose of the transaction is to improve the revenue base of Cape's two subsidiaries, Mass Coastal and Cape Cod, through access to Iowa Pacific's greater freight and passenger marketing resources, and to achieve economies of scale through centralization of administrative functions.

Applicants state that they propose to consummate the transaction on or about November 12, 2012. The earliest this transaction can be consummated is November 11, 2012, the effective date of the exemption (30 days after the verified notice was filed).

Applicants represent that: (1) The rail line to be operated by Mass Coastal does not connect with the rail lines of any other carriers controlled by Iowa Pacific through Permian or by Iowa Pacific directly; (2) the transaction is not part of a series of anticipated transactions that would connect the rail lines of the carriers; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

²On October 9, 2012, applicants submitted a copy of the voting trust agreement to the Board for an informal, nonbinding opinion asking whether the voting trust would sufficiently insulate the applicants from unauthorized control of Cape and its subsidiaries, pending approval or exemption of the subject transaction by the Board. In a letter dated October 12, 2012, the Director of the Office of Proceedings informed the applicants that it is her informal opinion that the proposed voting trust agreement would effectively insulate the applicants from unauthorized control of Cape.

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 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 no later than November 2, 2012 (at least seven days before the exemption becomes effective).

An original and ten copies of all pleadings, referring to Docket No. FD 35684, 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 John D. Heffner, Strasburger & Price, LLP, 1700 K Street NW., Suite 640, Washington, DC 20006.

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

Decided: October 23, 2012.

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

Derrick A. Gardner,
Clearance Clerk.

[FR Doc. 2012-26371 Filed 10-25-12; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

October 23, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

DATES: Comments should be received on or before November 26, 2012 to be assured of consideration.

ADDRESSES: Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for

Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at OIRA_Submission@OMB.EOP.GOV and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 8140, Washington, DC 20220, or email at PRA@treasury.gov.

FOR FURTHER INFORMATION CONTACT:

Copies of the submission(s) may be obtained by calling (202) 927-5331, email at PRA@treasury.gov, or the entire information collection request maybe found at www.reginfo.gov.

Internal Revenue Service (IRS)

OMB Number: 1545-NEW.

Type of Review: New collection.

Title: IRS Applicant Contact

Information.

Form: 14145.

Abstract: Form 14145, IRS Applicant Contact Information, is used by the IRS Recruitment Office to collect contact information from individuals who may be interested in working for the IRS now, or at any time in the future (potential applicants).

Affected Public: Individuals or Households.

Estimated Total Burden Hours: 66,085.

Dawn D. Wolfgang,

Treasury PRA Clearance Officer.

[FR Doc. 2012-26346 Filed 10-25-12; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Request for Comment

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning TD 9002.

DATES: Written comments should be received on or before December 26, 2012] to be assured of consideration.

ADDRESSES: Direct all written comments to Yvette Lawrence, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.