

Horse, Montana, to Caster, Wyoming and includes five pump stations. The Express Pipeline has been in operation since 1997 and transports crude oil from Hardisty, Alberta Canada to Casper, Wyoming.

On March 14, 2013, Spectra Energy (through its subsidiaries Spectra Energy Express (US) GP, LLC and Spectra Energy Express Holding, LLC) purchased all of the outstanding equity and debt interests in Express US Holdings LP. Immediately following these acquisitions, Spectra Energy became the 100 percent owner of the "upstream" entities that own Express and reorganized those entities, converting the direct parent corporation of Express into a limited liability corporation, Express Holdings (USA), LLC. Spectra plans to assign 40% of its ownership interests in Express Holdings (USA), LLC, to Spectra Energy Partners, LP, a publicly-traded master limited partnership. Spectra Energy has control over Spectra Energy Partners, LP; it indirectly owns 58% of the ownership interests in the limited partnership and also indirectly owns 100% of Spectra Energy Partners, LP's general partner, Spectra Energy Partners (DE) GP, LP.

Spectra affirms that operation and maintenance of the permitted facilities will remain substantially the same as before its acquisition of Express and acknowledges the Express is obligated to comply with the existing 2004 Permit. Spectra does not request any changes to the terms and conditions of the 2004 Permit.

Under E.O. 13337 the Secretary of State is designated and empowered to receive all applications for Presidential Permits for the construction, connection, operation, or maintenance at the borders of the United States, of facilities for the exportation or importation of liquid petroleum, petroleum products, or other non-gaseous fuels to or from a foreign country. The Department of State is circulating this application to concerned federal agencies for comment. The Department of State has the responsibility to determine whether issuance of a new or amended Presidential Permit in light of Spectra's acquisition of the entities that own Express would be in the U.S. national interest.

**DATES:** Interested parties are invited to submit comments within 30 days of the publication date of this notice by email to [SpectraEnergypermit@state.gov](mailto:SpectraEnergypermit@state.gov) with regard to whether issuing a new Presidential Permit reflecting the corporate succession would be in the

national interest. The application is available at <http://www.state.gov/e/enr>.

**FOR FURTHER INFORMATION CONTACT:** Office of Energy Diplomacy, Energy Resources Bureau (ENR/EDP/EWA) Department of State 2201 C St. NW., Ste 4843 Washington, DC 20520 Attn: Michael Brennan Tel: 202-647-7553.

Dated: June 7, 2013.

**Michael Brennan,**

*Office of Europe, Western Hemisphere and Africa, Bureau of Energy Resources, U.S. Department of State.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2012-0093]

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that by a document dated November 30, 2012, the Union Pacific Railroad Company (UP) has petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR Part 219, Subpart G, Random Alcohol and Drug Testing Programs. FRA assigned the petition Docket Number FRA-2012-0093.

UP is requesting FRA's approval to periodically and intermittently adjust UP's random drug and alcohol testing rates at specific locations based on objective, performance-based criteria or, alternately, approval for a pilot program in which UP can increase random testing of its employees at specific locations based on objective, performance-based criteria.

A copy of the petition (included at the end of this notice), as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](http://www.regulations.gov) and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires

an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 202-493-2251.

- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590.

- *Hand Delivery:* 1200 New Jersey Avenue SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by July 29, 2013 will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). See <http://www.regulations.gov/#!privacyNotice> for the privacy notice of regulations.gov or interested parties may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477).

Issued in Washington, DC, on June 10, 2013.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2013-14092 Filed 6-12-13; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 290 (Sub-No. 348X)]

#### Norfolk Southern Railway Company—Discontinuance of Service Exemption—in Tipton and Howard Counties, Ind.

Norfolk Southern Railway Company (NSR) filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over an approximately 10.8-mile rail line between milepost I-41.0 (north of Market Road near Tipton) and milepost