

CFR 1180.2(d)(3) for an intra-corporate family transaction.

According to SCPR, it owns the rail trackage and other physical assets of Class III rail carriers The Port Utilities Commission of Charleston, S.C. (PUCC), Port Terminal Railroad of South Carolina (PTR), and East Cooper and Berkeley Railroad Company (ECB), and it employs the workers on those railroads. Applicant explains that although PUCC, PTR, and ECB do not exist as separate, formal corporate or governmental entities but rather as the equivalent of divisions of SCPR, they have historically been treated as separate regulated entities.<sup>1</sup>

SCPR proposes to: (1) Eliminate PUCC, PTR, and ECB as separate rail carriers, which have been operating as Applicant's divisions; and (2) consolidate their distinct common carrier authorities into Applicant, which will operate and market all of the rail lines under the name "Palmetto Railways." SCPR states that the proposed transaction will clarify ambiguities regarding the regulatory status of PUCC, PTR, and ECB.

This exemption will become effective on September 29, 2013. SCPR states that it intends to consummate the proposed transaction on October 1, 2013, but may not do so prior to the September 29, 2013 effective date of the exemption.

Applicant states that the purpose of the proposed transaction is to clarify the regulatory status of SCPR's rail operations and simplify various administrative and marketing functions.

This is a transaction within a corporate family of the type exempted from prior review and approval under 49 CFR 1180.2(d)(3). SCPR states that the transaction will not result in adverse changes in service levels, significant

operational changes, or any change in the competitive balance with carriers outside the SCPR 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 rail 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 effectiveness of the exemption. Petitions for stay must be filed no later than September 20, 2013 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35762, 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.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: September 10, 2013.

By the Board,

**Rachel D. Campbell,**  
*Director, Office of Proceedings.*

**Jeffrey Herzig,**  
*Clearance Clerk.*

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**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Information Collection Renewal; Comment Request; Lending Limits

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the public and other Federal agencies to comment on the renewal of an information collection, as required by

the Paperwork Reduction Act of 1995. Under the Paperwork Reduction Act of 1995 (PRA), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information and to allow 60 days for public comment in response to the notice. In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning renewal of its information collection titled, "Lending Limits."

**DATES:** Comments must be submitted on or before November 12, 2013.

**ADDRESSES:** Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments by email if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557-0317, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465-4326 or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

All comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not enclose any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

**FOR FURTHER INFORMATION CONTACT:** You may request additional information from Johnny Vilela or Mary H. Gottlieb, OCC Clearance Officers, (202) 649-5490, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the OMB for each collection of information

<sup>1</sup> See *Public-Convenience Application of Port Utilities Comm'n of Charleston, S.C.*, 90 I.C.C. 743 (1924) (certificate issued to PUCC to acquire and operate certain railroad terminal facilities in Charleston, S.C.); *Port Terminal R.R. of S.C. Operation*, 295 I.C.C. 819 (not printed in full, Aug. 6, 1956) (PTR obtained authority in its own name to operate trackage owned by the South Carolina State Ports Authority in North Charleston); *The E. Cooper & Berkeley R.R.—Constr. & Operation—Line of R.R. Located in Berkeley Cnty., S.C.*, FD 28100 (ICC served July 15, 1977) (ECB obtained authority in its own name to construct and operate an approximately 15-mile rail line in an area north of Charleston); *South Carolina Rys. Comm'n v. Seaboard Coast Line R.R.*, 365 I.C.C. 274 (1981) (PUCC and PTR described as terminal switching carriers); *East Cooper & Berkeley R.R.—Construction & Operation Exemption—In Berkeley Cnty., S.C.*, FD 32704 (ICC served Dec. 13, 1995) (ECB granted an exemption to construct and operate a 1.7-mile single track rail line in South Carolina); and *Port Terminal R.R.—Operation Exemption—Rail Line of the Charleston Naval Complex Redevelopment Auth.*, FD 35211 (STB served Feb. 19, 2009) (PTR granted an exemption to operate a rail line on the former Charleston Naval Base).

they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the proposed collection of information set forth in this document.

**SUPPLEMENTARY INFORMATION:**

*Title:* Lending Limits—12 CFR 32.9.

*Type of Review:* Extension, without revision, of a currently approved collection.

*OMB Control Number:* 1557-0317.

*Description:* The OCC received emergency approval for this collection on August 21, 2013 and is now seeking a three-year clearance.

Pursuant to section 610 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, Public Law 111-203, 124 Stat. 1376 (2010), the OCC added 12 CFR 32.9 to its lending limits regulation to cover credit exposures arising from derivative transactions and securities financing transactions. Twelve CFR 32.9 provides national banks and savings associations with three alternative methods for calculating the credit exposure of derivative transactions other than credit derivatives, a special rule for measuring the credit exposure of credit derivatives, and three alternative methods for calculating such exposure for securities financing transactions. The OCC provided these different methods to reduce the practical burden of such calculations, particularly for smaller and mid-size national banks and savings associations.

One method available for both derivative transactions and securities financing transactions is the Internal Model Method. Under this method, the use of a model (other than a model for which use has been approved for purposes of the Advanced Measurement Approach in the capital rules) must be approved in writing by the OCC (in the case of national banks and Federal savings associations) or the Federal Deposit Insurance Corporation (in the case of State savings associations) specifically for lending limits purposes. If a national bank or savings association proposes to use an internal model for

which use has been approved for purposes of the Advanced Measurement Approach, the institution must provide written notification to the OCC or FDIC, as appropriate, prior to use of the model for lending limits purposes. Section 32.9 also requires OCC or FDIC approval of any substantive revisions to a model previously approved for lending limits purposes, or for which notice of its use for lending limits purposes had been previously provided, before the institution may use the revised model.

*Affected Public:* Businesses or other for-profit.

*Burden Estimates:*

*Estimated Number of Respondents:* 238.

*Estimated Number of Responses per Respondent:* 2.

*Estimated Annual Burden:* 476 hours.

*Frequency of Response:* On occasion.

*Comments:* Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the information collection burden;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of the capital or start-up costs and the costs associated with the operation, maintenance, and acquisition of services necessary to provide the required information.

Dated: September 6, 2013.

**Michele Meyer,**

*Assistant Director, Legislative and Regulatory Activities Division.*

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**DEPARTMENT OF THE TREASURY**

**Office of the Comptroller of the Currency**

**Agency Information Collection Activities: Information Collection Renewal; Comment Request; Affiliate Marketing**

**AGENCIES:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the renewal of an information collection, as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning the renewal of an information collection titled, "Affiliate Marketing."

**DATES:** Comments must be submitted on or before November 12, 2013.

**ADDRESSES:** Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments by email if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557-0230, 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465-4326 or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

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**SUPPLEMENTARY INFORMATION:** The OCC is seeking renewal of the following information collection:

*Title:* Fair Credit Reporting Affiliate Marketing.

*OMB Control No.:* 1557-0230.

*Frequency of Response:* On occasion.