

On December 9, 2013, Michael LaSalle filed a letter requesting that the Board require the Authority to notify all landowners within and along the proposed Fresno-to-Bakersfield alignments, as well as all parties of record in the main docket (which pertains to the Merced-to-Fresno segment) of this proceeding and the comment deadline. LaSalle also requests that the Board amend the comment deadline to a reasonable time following the Authority's and the Federal Railroad Administration's issuance of the Final Environmental Impact Report/ Environmental Impact Statement (EIR/ EIS) and after their final decisions regarding the proposed project, including alignments and station locations, have been made. On December 16, 2013, the Community Coalition on High Speed Rail filed a letter joining in LaSalle's requests.

On December 12, 2013, the Citizens for California High Speed Rail Accountability (CCHSRA) filed a letter requesting that the Board extend the comment period to January 31, 2014, because it only recently became aware of the petition and because the December 24 deadline coincides with the holiday season.² CCHSRA also requested that the Board consider providing notice to all impacted landowners in Fresno, Kings, Tulare, and Kern Counties.

Notice of the Proceeding. Both LaSalle and CCHSRA request that all affected landowners be given direct notice of this proceeding. Generally, however, publication in the **Federal Register** is legally sufficient notice to interested or affected parties.³ Moreover, attempting to identify and provide direct notice to all landowners who might potentially be affected would be unworkable.⁴ Also, ample notice of the proposed construction project and opportunity to participate in the environmental review for the proposed project have been provided through the EIR/EIS process. That process included five public meetings in 2009 on the potential scope of the Draft EIR/EIS, three public hearings in 2011 on the Draft EIR/EIS, and three public hearings in 2012 on the Revised Draft EIR/Supplemental Draft EIS. All the meetings and hearings were

held in the project area including Fresno and Bakersfield.

However, given the significant public interest in this proceeding, the Board will require the Authority to notify all parties of record in the main docket by providing them with a copy of its petition for exemption in this sub-docket, as well as a copy of this decision, by January 3, 2014, and to certify contemporaneously to the Board that it has done so. Those parties, and any other interested persons who wish to participate in this sub-docket as a party of record, will then have until January 21, 2014, to notify the Board of their intent to participate in this sub-docket as a party of record. Only persons who participate as a party of record in this sub-docket by filing a notice of intent or filing comments (or both) will be entitled to service of pleadings and subsequent Board decisions in this sub-docket.

Extension of the Comment Period. In recognition of the new notice procedure set forth above, and taking into consideration the requests for an extension of the current comment deadline, we will extend the deadline for comments on the transportation to February 14, 2014. This extension should provide sufficient time for interested persons to comment on the proposed transaction.

Waiver of service requirement for individual private citizens. The Board is interested in encouraging public participation by all interested persons in this proceeding. As was done in the main docket,⁵ to help create a comprehensive record that embodies the full spectrum of interests involved and to facilitate the ability of individual private citizens to participate in that process, the service requirements of 49 CFR 1104.12(a), which require every document filed with the Board to be served upon all parties to the proceeding, will be waived for individual private citizens who file comments in this proceeding. Thus, filings made by individual private citizens will be included in the public record of this proceeding (and posted on the Board's Web site) regardless of whether the filings comply with the service requirements of § 1104.12(a). All other parties of record, including citizen organizations, are expected to comply with the Board's service requirement regulations and serve all parties of record listed on the Board's service list for this proceeding.

⁵ See *Cal. High-Speed Rail Auth.—Constr. Exemption—in Merced, Madera, & Fresno Cnty., Cal.*, FD 35724 (STB served May 14, 2013).

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Replies to the petition for exemption are due by February 14, 2014.
2. As discussed above in this decision, the Authority must notify all parties of record in the main docket of this proceeding of the proposed transaction by January 3, 2014, and certify contemporaneously to the Board that it has done so.
3. Any person who wishes to participate in this proceeding as a party of record must file with the Board a notice of intent to participate by January 21, 2014.
4. The service requirements under 49 CFR 1104.12(a) are waived for individual private citizens participating in this proceeding.
5. This decision will be published in the **Federal Register**.
6. This decision is effective on its service date.

Decided: December 20, 2013.

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

Jeffrey Herzig,
Clearance Clerk.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. EP 290 (Sub-No. 5) (2014–1)]

Quarterly Rail Cost Adjustment Factor

AGENCY: Surface Transportation Board, DOT.

ACTION: Approval of rail cost adjustment factor.

SUMMARY: The Board has approved the first quarter 2014 rail cost adjustment factor (RCAF) and cost index filed by the Association of American Railroads. The first quarter 2014 RCAF (Unadjusted) is 0.980. The first quarter 2014 RCAF (Adjusted) is 0.424. The first quarter 2014 RCAF–5 is 0.400.

DATES: *Effective Date:* January 1, 2014.

FOR FURTHER INFORMATION CONTACT: Pedro Ramirez, (202) 245–0333. Federal Information Relay Service (FIRS) for the hearing impaired: (800) 877–8339.

SUPPLEMENTARY INFORMATION: In *Railroad Cost Recovery Procedures*, 1 I.C.C. 2d 207 (1984), the Interstate Commerce Commission (ICC) outlined the procedures for calculating the all-inclusive index of railroad input prices

² In a letter filed on December 17, 2013, William Descary, a Bakersfield resident, also requests an extension of the comment period to January 31, 2014, in light of the holiday season.

³ *Friends of Sierra R.R. v. ICC*, 881 F.2d 663, 667–68 (9th Cir. 1989) (citing *Fed. Crop Ins. Corp. v. Merrill*, 332 U.S. 380 (1947)); *accord State of Cal. ex rel. Lockyer v. FERC*, 329 F.3d 700, 707 (9th Cir. 2003).

⁴ See *Nat'l Trails Sys. Act & R.R. Rights of Way*, EP 702, slip op. at 7–8 (STB served Feb. 16, 2011).

and the method for computing the rail cost adjustment factor (RCAF). Under the procedures, the Association of American Railroads (AAR) is required to calculate the index on a quarterly basis and submit it to the agency on the fifth day of the last month of each calendar quarter. In *Railroad Cost Recovery Procedures—Productivity Adjustment*, 5 I.C.C.2d 434 (1989), *aff'd sub nom. Edison Electric Institute v. ICC*, 969 F.2d 1221 (D.C. Cir. 1992), the ICC adopted procedures that require the adjustment of the quarterly index for a measure of productivity.

The provisions of 49 U.S.C. 10708 direct the Surface Transportation Board (Board) to continue to publish both an unadjusted RCAF and a productivity-adjusted RCAF. In *Productivity Adjustment—Implementation*, 1 S.T.B. 739 (1996), the Board decided to publish a second productivity-adjusted RCAF called the RCAF-5. Consequently, three indices are now filed with the Board: The RCAF (Unadjusted), the RCAF (Adjusted), and the RCAF-5. The RCAF (Unadjusted) is an index reflecting cost changes experienced by the railroad industry, without reference to changes in rail productivity. The RCAF (Adjusted) is an index that reflects national average productivity changes as originally developed and applied by the ICC, the calculation of which is currently based on a 5-year moving average. The RCAF-5 is an index that also reflects national

average productivity changes; however, those productivity changes are calculated as if a five-year moving average had been applied consistently from the productivity adjustment's inception in 1989.

In EP 290 (Sub No. 5) (2013-1), served December 20, 2012, the Board noted that AAR's proposed rebasing calculations were verified, and complied with the statute. Because the revisions calculated by AAR affected the fourth quarter 2012 basing factor, this decision contains the revised 2012 fourth quarter basing factor, from 297.5 to 297.6. The revised rebasing calculations are shown in Table C of the Appendix.

The index of railroad input prices, RCAF (Unadjusted), RCAF (Adjusted), and RCAF-5 for the first quarter of 2014 are shown in Table A of the Appendix to this decision. Table B shows the restated third quarter 2013 index and the RCAF calculated on both an actual and a forecasted basis. The difference between the actual calculation and the forecasted calculation is the forecast error adjustment.

We have examined AAR's calculations and we find that AAR has complied with our procedures, as well as the Board's November 27, 2013 decision directing AAR to restate the 2011, 2012, and 2013 RCAF's using BNSF Railway Company's (BNSF) and Union Pacific Railroad Company's (UP) revised R-1 reports. The restated RCAF's for the fourth quarter of 2011 through

the fourth quarter of 2013 were recalculated as if AAR had made the revisions in 2013 for the original filings.¹ We find that the first quarter 2014 RCAF (Unadjusted) is 0.980, an increase of 0.5% from the restated fourth quarter 2013 RCAF of 0.975. The RCAF (Adjusted) is calculated, in part, using the RCAF (Unadjusted) and a five-year moving geometric average of productivity change for U.S. Class I railroads from 2007-2011, which is 1.009 (0.9% per year). We find that the RCAF (Adjusted) is 0.424, an increase of 0.2% from the restated fourth quarter 2013 RCAF (Adjusted) of 0.423.²

In accordance with *Productivity Adjustment—Implementation*, 1 S.T.B. at 748-49, the RCAF-5 for this quarter will use a productivity trend for the years 2007-2011, which is 1.009 (0.9% per year). We find that the RCAF-5 for the first quarter of 2014 is 0.400, an increase of 0.3% from the restated fourth quarter 2013 RCAF-5 of 0.399.³

This decision will not significantly affect the quality of the human environment or the conservation of energy resources.

Authority: 49 U.S.C. 10708.

Decided: December 19, 2013.

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

Jeffrey Herzig,
Clearance Clerk.

Appendix

TABLE A—EP 290 (SUB-NO. 5) (2014-1) ALL INCLUSIVE INDEX OF RAILROAD INPUT COSTS ¹
[Endnotes following Table D]

Line No.	Index component	2012 Weights (in percent)	Fourth quarter 2013 forecast	First quarter 2014 forecast
1	LABOR	31.3	387.1	386.2
2	FUEL	22.4	399.6	377.9
3	MATERIALS AND SUPPLIES	4.9	261.4	265.9
4	EQUIPMENT RENTS	5.6	207.7	208.7
5	DEPRECIATION	11.9	221.0	217.8
6	INTEREST	2.0	76.6	76.6
7	OTHER ITEMS ²	21.9	220.0	220.5
8	WEIGHTED AVERAGE	100.0	311.1	306.0
9	LINKED INDEX ³		297.8	292.9
10	PRELIMINARY RAIL COST ADJUSTMENT FACTOR ⁴		100.1	98.4
11	FORECAST ERROR ADJUSTMENT ⁵		-0.026	-0.004
12	RCAF (UNADJUSTED) (LINE 10 +LINE 11)		0.975	0.980
13	RCAF (ADJUSTED)		0.423	0.424
14	RCAF-5		0.399	0.400

¹ See Table D.

² The first quarter 2014 RCAF Adjusted (0.424) is calculated by dividing the first quarter 2014 RCAF Unadjusted (0.980) by the first quarter productivity adjustment factor of 2.3110. The first quarter 2014 productivity adjustment factor is calculated by

multiplying the fourth quarter 2013 productivity adjustment of 2.3059 by the fourth root (1.0022) of the 2007-2011 annual average productivity growth rate of 0.9%.

³ The first quarter 2014 RCAF-5 (0.400) is calculated by dividing the first quarter 2014 RCAF

Unadjusted (0.980) by the first quarter productivity adjustment factor-5 (PAF-5) of 2.4480. The first quarter 2014 PAF-5 is calculated by multiplying the fourth quarter 2013 PAF-5 of 2.4426 by the fourth root (1.0022) of the 2007-2011 annual average productivity growth rate of 0.9%.

TABLE B—EP 290 (SUB-NO. 5) (2014–1) COMPARISON OF THIRD QUARTER 2013 INDEX CALCULATED ON BOTH A FORECASTED AND AN ACTUAL BASIS⁶

Line No.	Index component	2011 weight (in percent)	Third quarter 2013 forecast	Third quarter 2013 actual
1	LABOR	31.4	391.3	391.3
2	FUEL	22.6	375.6	376.0
3	MATERIALS AND SUPPLIES	5.1	264.2	264.2
4	EQUIPMENT RENTS	5.6	208.0	207.6
5	DEPRECIATION	11.5	218.9	217.8
6	INTEREST	2.3	87.3	87.3
7	OTHER ITEMS	21.5	221.4	218.8
8	WEIGHTED AVERAGE	100.0	307.7	307.0
9	LINKED INDEX		294.4	293.1
10	RAIL COST ADJUSTMENT FACTOR		98.9	98.5

TABLE C—REBASING THE DENOMINATOR OF THE RCAF TO THE FOURTH QUARTER 2012 LEVEL (RESTATED)⁷

1.	Fourth Quarter 2012 Linked Index	299.1
2.	Second Quarter 2012 Linked Index Calculated Using Actual Data	295.5
3.	Second Quarter 2012 Linked Index Calculated Using forecasted Data	297.0
4.	Difference	- 1.5
5.	Rounding adjustment to force 1.000	0.0
6.	Fourth Quarter 2012 Linked Index Adjusted for Second Quarter 2012 Forecast Error (Line 1 plus Line 4 plus Line 5).	297.6

TABLE D

Restated RCAF's 2011Q4 through 2013Q4

	Original					Restated ¹		
	PAF	PAF-5	RCAF (Unadjusted)	RCAF (Adjusted)	RCAF-5	RCAF (Unadjusted)	RCAF (Adjusted)	RCAF -5
2007Q4=100								
2011Q4	2.2645	2.3894	1.208	0.533	0.506	1.209	0.534	0.506
2012Q1	2.2724	2.3978	1.169	0.514	0.488	1.170	0.515	0.488
2012Q2	2.2769	2.4062	1.185	0.520	0.492	1.187	0.521	0.493
2012Q3	2.2815	2.4146	1.171	0.513	0.485	1.172	0.514	0.485
2012Q4	2.2861	2.4231	1.209	0.529	0.499	1.210	0.529	0.499
2012Q4=100								
2013Q1	2.2907	2.4279	0.997	0.435	0.411	0.997	0.435	0.411
2013Q2	2.2957	2.4328	1.006	0.438	0.414	1.006	0.438	0.414
2013Q3	2.3008	2.4377	0.977	0.425	0.401	0.977	0.425	0.401
2013Q4	2.3059	2.4426	0.975	0.423	0.399	0.975	0.423	0.399

Endnotes:

¹ AAR has restated the 2012 weights in compliance to our November 27, 2013 decision. The 2013 fourth quarter forecast is the restated version, not the September 5, 2013 filing. The 2012 basing factor has also been restated from 297.5 to 297.6.

² "Other Items" is a combination of Purchased Services, Casualties and Insurance, General and Administrative, Other Taxes, Loss and Damage, and Special Charges, price changes for all of which are measured by the Producer Price Index for Industrial Commodities Less Fuel and Related Products and Power.

³ Linking is necessitated by a change to the 2012 weights beginning in the fourth quarter 2013. The following formula was used for the current quarter's index:

$$\frac{\text{1st Qr. 2014 Index (2012 Weights)}}{\text{4th Qr. 2013 Index (2012 Weights)}} \times \text{Times 4th Quarter Linked Index (1980 = 100 Linked)} = \text{Equals Linked Index (Current Quarter)}$$

Or

$$\frac{306.0}{311.1} \times 297.8 = 292.9$$

⁴ The first quarter 2013 RCAF was rebased using the October 1, 2012 level of 297.5 in accordance with the requirements of the Staggers Rail Act of 1980 (10/1/2012 = 100). In compliance to our November 27, 2013 decision, AAR has restated the October 1, 2012 level of 297.5 to 297.6.

⁵ The first quarter 2014 forecast error adjustment was calculated as follows: (a) restated third quarter 2013 RCAF using forecasted data equals 98.9; (b) restated third quarter 2013 RCAF using actual data equals 98.5; and (c) the difference equals the forecast error (b-a) of -0.4. Because the actual third quarter value is less than the forecast value, the difference is subtracted from the Preliminary RCAF. Both the fourth quarter 2013 and the first quarter 2014 forecast error adjustments are recalculated using the restated October 1, 2012 level of 297.6.

⁶ AAR has restated the 2011 weights in compliance to our November 27, 2013 decision. The 2013 third quarter forecast and actual are also restated versions. The 2012 fourth quarter basing factor has been restated from 297.5 to 297.6.

⁷ The fourth quarter 2012 basing factor was restated using revised data from UP and BNSF.

⁸ The shaded cells contain RCAF numbers that did not change as a result of the restatement.

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BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Bureau of Engraving and Printing

Privacy Act of 1974, as Amended; System of Records

AGENCY: Bureau of Engraving and Printing (BEP), Department of the Treasury.

ACTION: Notice of proposed Privacy Act of 1974 system of records and request for comments.

SUMMARY: In accordance with the Privacy Act of 1974, 5 U.S.C. 552a the Department of the Treasury, Bureau of Engraving and Printing, proposes to establish a new Privacy Act of 1974 system of records titled "Treasury/BEP .049—Bureau of Engraving and Printing Tour Scheduling System" also known as BEP Tour Scheduling System.

DATES: Comments must be received no later than January 27, 2014. This new Privacy Act system of records will be effective January 30, 2014, unless comments are received which result in a contrary determination.

ADDRESSES: Comments should be sent to Leslie J. Rivera-Pagán, Privacy Officer, Office of the Chief Counsel, U.S. Department of the Treasury, Bureau of Engraving and Printing, Room 419-A, 14th & C Streets SW., Washington, DC 20228, Attention: Revisions to Privacy Act Systems of Records. Comments can also be faxed to (202) 874-2951 or emailed to Leslie.Rivera-Pagan@bep.gov. For fax and emails, please place

"Revisions to SORN .049—BEP Tour Scheduling System" in the subject line. Comments will be made available for public inspection upon written request. The BEP will make such comments available for public inspection and copying at the above listed location, on official business days between 9:00 a.m. and 5:00 p.m. eastern time. Persons wishing to review the comments must request an appointment by telephoning (202) 874-2500. All comments received, including attachments and other supporting documents, are part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Leslie J. Rivera-Pagán at (202) 874-2500 or Leslie.Rivera-Pagan@bep.gov.

SUPPLEMENTARY INFORMATION:

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the Department of the Treasury, Bureau of Engraving and Printing, proposes to establish a new system of records titled, "Treasury/BEP .049—BEP Tour Scheduling System."

The new proposed system of records is published in its entirety below.

Dated: December 6, 2013.

Helen Goff Foster,

Deputy Assistant Secretary for Privacy, Transparency, and Records.

TREASURY/BEP .049

SYSTEM NAME:

Bureau of Engraving and Printing Tour Scheduling System also known as

BEP Tour Scheduling System—Treasury/BEP.

SYSTEM LOCATION:

Bureau of Engraving and Printing, Office of External Relations (OEX)—Public Service Division, Eastern Currency Facility (ECF), 14th & C Streets SW., Washington, DC 20228 and Bureau of Engraving and Printing, Office of External Relations (OEX)—External Affairs Division, Western Currency Facility (WCF), 9000 Blue Mound Road, Fort Worth, TX 76131.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Primary and secondary contacts of group of visitors or congressional groups and Members of Congress and congressional staffers scheduling tours with the BEP's Tour and Visitor Center in Washington, DC, and Fort Worth, TX.

CATEGORIES OF RECORDS IN THE SYSTEM:

- Name of Primary and Secondary Contact (WCF only) of Group of Visitors;
- Name of Constituent known as Primary Contact of Congressional Group, Member of Congress, and Staffer;
- Title and State of Member of Congress;
- Phone Number, Email Address, Fax Number of Congressional Staffer;
- Phone Number, Email Address, Fax Number, Mailing Address, City, State, Zip Code of Primary Contact of Group of Visitors;
- Phone Number of Secondary Contact of Group of Visitors (WCF only);
- Date, Time, and Type of Tour;
- Name of Group;
- Number of Individuals in group;
- Grade of School Group (WCF only);
- Information required to accommodate a disability of an