

vehicles or certain regions in its allocation of replacement parts, (4) whether, and how, NHTSA should order a replacement schedule for replacement frontal inflators/air bags if Takata and/or Manufacturers cannot provide assurances for the ongoing safety of the inflators, and (5) whether, and how, NHTSA should order additional authorized repair facilities, or any other regulated entity, to aid Takata and/or Manufacturers in timely completing remedy programs.

Authority: 49 U.S.C. 30101, *et seq.*, 30118–30120, 30120(c)(3), 30166(b)(1), 30166(g)(1); 49 CFR 573.6, 573.14; delegations of authority at 49 CFR 1.95(a), 501.2(a)(1).

Issued: June 1, 2015.

Mark R. Rosekind,

Administrator.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35932]

Lubbock and Western Railway, L.L.C.—Acquisition and Operation Exemption—West Texas and Lubbock Railway Company, Inc., and West Texas and Lubbock Railroad Company, Inc.

Lubbock and Western Railway, L.L.C. (LWR), a wholly owned noncarrier subsidiary of Watco Holdings, Inc., has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 9.5 miles of rail line and to lease approximately 134.75 miles of rail line from West Texas and Lubbock Railway Company, Inc., and West Texas and Lubbock Railroad Company, Inc. (WTLR). The lines being acquired and operated are located between: (1)(a) Mileposts 330.10 and 331.10 at Plainview, Tex., and (b) mileposts 367.250 and 368.250, at Dimmitt, Tex., on the Dimmitt Sub; (2)(a) mileposts 0.0 and 1.0 at Doud, Tex., and (b) mileposts 12.10 and 13.10 at Broadview, Tex., on the Broadview Sub; (3)(a) mileposts 6.0 and 8.5 at Doud, and (b) mileposts 62.90 and 63.90, at Seagraves, Tex., on the Seagraves Sub; and (4)(a) mileposts 4.70 and 5.70 at Whiteface Junction, and (b) mileposts 38.80 and 39.80 at Whiteface, Tex., on the Whiteface Sub. The lines being leased are located between: (1) Mileposts 331.10 and 367.25 on the Dimmitt Sub, (2) mileposts 1.0 and 12.10 on the Broadview Sub, (3) mileposts 8.50 and 62.90, on the Seagraves Sub, and (4) mileposts 5.70 and 38.80, on the

Whiteface Sub. In addition, LWR will also acquire by assignment approximately 5 miles of trackage rights that WTLR currently has over BNSF Railway Company's line between milepost 88.6 at Canyon Jct., Tex., and milepost 83.6 at Broadview.

This transaction is related to a concurrently filed verified notice of exemption in *Watco Holdings, Inc.—Continuance in Control Exemption—Lubbock & Western Railway*, Docket No. FD 35933, wherein Watco Holdings, Inc., seeks Board approval to continue in control of LWR, upon LWR's becoming a Class III rail carrier.

The parties intend to consummate the transaction after the effective date of the verified notice of exemption.

LWR certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier. Because LWR's projected annual revenues will exceed \$5 million, LWR certified to the Board on May 19, 2015, that it had complied with the requirements of 49 CFR 1150.32(e) on May 18, 2015, by providing notice to employees of WTLR on the affected lines.¹ Under 49 CFR 1150.32(e), this exemption cannot become effective until 60 days after the date notice was provided, which would be July 18, 2015.

LWR states that the agreement with WTLR does not contain any provision that prohibits it from interchanging traffic with a third party or limits its ability to interchange with a third party.

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 July 10, 2015 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35932, 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, 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: June 2, 2015.

¹ In its May 19 letter to the Board, LWR stated that there are no union employees at WTLR.

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

Brendetta S. Jones,
Clearance Clerk.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35931]

Watco Holdings, Inc.—Continuance in Control Exemption—Texas New Mexico Railway, L.L.C.

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 Texas New Mexico Railway, L.L.C. (TNMR), upon TNMR's becoming a Class III rail carrier. Watco owns, indirectly, 100 percent of the issued and outstanding stock of TNMR, a limited liability company.

This transaction is related to a concurrently filed verified notice of exemption in *Texas New Mexico Railway—Acquisition and Operation Exemption—Austin & Northwestern Railroad*, Docket No. FD 35930, wherein TNMR seeks Board approval to acquire and operate approximately 104.191 miles of rail line owned by Austin & Northwestern Railway Company, Inc., between milepost 0.079 at Monahans, Tex., and milepost 104.27 at Lovington, NM.

The transaction may be consummated on or after June 20, 2015, 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, and 30 Class III rail carriers, collectively operating in 22 states. For a complete list of these rail carriers, and the states in which they operate, see Watco's notice of exemption filed on May 21, 2015. The 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 TNMR do not connect with any of the rail lines operated by the carriers in the Watco corporate family; (2) the transaction 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,