(newspaper publication) and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) [1] to subsidize continued rail service has been received, this exemption will be effective on July 5, 2020, unless stayed pending reconsideration.[2] Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2) [3] must be filed by June 15, 2020.[4] Petitions for reconsideration must be filed by June 25, 2020, with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001.

A copy of any petition filed with Board should be sent to CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

Board decisions and notices are available at *www.stb.gov.*

Decided: May 29, 2020.

By the Board, Allison C. Davis, Director, Office of Proceedings.

Eden Besera,

Clearance Clerk.

[FR Doc. 2020–12112 Filed 6–4–20; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 682 (Sub-No. 11)]

2019 Tax Information for Use in the Revenue Shortfall Allocation Method

AGENCY: Surface Transportation Board.

ACTION: Notice.

SUMMARY: The Board is publishing, and providing the public an opportunity to comment on, the 2019 weighted average state tax rates for each Class I railroad, as calculated by the Association of American Railroads (AAR), for use in the Revenue Shortfall Allocation Method (RSAM).

DATES: Comments are due by July 6, 2020. If any comments opposing AAR's calculation are filed, AAR's reply will be due by July 27, 2020. If no comments are filed by July 6, 2020, AAR's calculation of the 2019 weighted average state tax rates will be automatically adopted by the Board, effective July 7, 2020.

ADDRESSES: Comments may be filed with the Board either via e-filing or in writing addressed to: Surface Transportation Board, 395 E Street SW, Washington, DC 20423–0001.

FOR FURTHER INFORMATION CONTACT: Jonathon Binet at (202) 245–0368. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

SUPPLEMENTARY INFORMATION: The RSAM figure is one of three benchmarks that together are used to determine the reasonableness of a challenged rate under the Board's *Simplified Standards for Rail Rate Cases,* EP 646 (Sub-No. 1), slip op. at 10 (STB served Sept. 5, 2007),[1] as further revised in *Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method,* EP 646 (Sub-No. 2) (STB served Nov. 21, 2008). RSAM is intended to measure the average markup that the railroad would need to collect from all of its ''potentially captive traffic'' (traffic with a revenue-to-variable-cost ratio above 180%) to earn adequate revenues as measured by the Board under 49 U.S.C. 10704(a)(2) (*i.e.,* earn a return on investment equal to the railroad industry cost of capital). *Simplified Standards—Taxes in RSAM,* slip op. at 1. In *Simplified Standards—Taxes in RSAM,* slip op. at 3, 5, the Board modified its RSAM formula to account for taxes, as the prior formula mistakenly compared pre-tax and after-tax revenues. In that decision, the Board stated that it would institute a separate proceeding in which Class I railroads would be required to submit the annual tax information necessary for the Board's annual RSAM calculation. *Id.* at 5–6.

Pursuant to 49 CFR 1135.2, AAR is required to annually calculate and submit to the Board the weighted average state tax rate for each Class I railroad for the previous year. On May 28, 2020, AAR filed its calculation of the weighted average state tax rates for 2019, listed below for each Class I railroad:

WEIGHTED AVERAGE STATE TAX RATES

Railroad	2019 (%)	2018 (%)	% Change
BNSF Railway Company	5.234	5.312	−0.078
CSX Transportation, Inc	5.097	5.238	−0.141
Grand Trunk Corporation	8.129	8.130	−0.001
The Kansas City Southern Railway Company	5.711	5.422	0.289
Norfolk Southern Combined Railroad Subsidiaries	5.697	5.753	−0.056
Soo Line Corporation	8.181	8.193	−0.012
Union Pacific Railroad Company	5.714	5.726	−0.012

Any party wishing to comment on AAR's calculation of the 2019 weighted average state tax rates should file a comment by July 6, 2020. *See* 49 CFR 1135.2(c). If any comments opposing AAR's calculations are filed, AAR's reply will be due by July 27, 2020. *Id.* If any comments are filed, the Board will review AAR's submission, together

[1] Persons interested in submitting an OFA to subsidize continued rail service must first file a formal expression of intent to file an offer, indicating the intent to file an OFA for subsidy and demonstrating that they are preliminarily financially responsible. *See* 49 CFR 1152.27(c)(2)(i).

[2] CSXT states that it intends to consummate the discontinuance of the Line on July 7, 2020.

[3] The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

[4] Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

[1] *Aff'd sub nom. CSX Transp., Inc.* v. *STB,* 568 F.3d 236 (D.C. Cir. 2009), *vacated in part on reh'g, CSX Transp., Inc.* v. *STB,* 584 F.3d 1076 (D.C. Cir. 2009).

with the comments, and serve a decision within 60 days of the close of the record that either accepts, rejects, or modifies AAR's railroad-specific tax information. *Id.* If no comments are filed by July 6, 2020, AAR's submitted weighted average state tax rates will be automatically adopted by the Board, effective July 7, 2020. *Id.*

Decided: June 1, 2020.

By the Board, Allison C. Davis, Director, Office of Proceedings.

Kenyatta Clay,

Clearance Clerk.

[FR Doc. 2020–12107 Filed 6–4–20; 8:45 am]

BILLING CODE 4915–01–P

SURFACE TRANSPORTATION BOARD

[Docket No. FD 36403]

Trans Rail Holding Company—Continuance of Control Exemption—Merrimack & Grafton Railroad Corporation

Trans Rail Holding Company (TRHC), a noncarrier railroad holding company, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Merrimack & Grafton Railroad Corporation (MGRC), upon MGRC's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in *Merrimack & Grafton Railroad—Change of Operators Exemption—Line of New England Southern Railroad,* Docket No. FD 36405. In that proceeding, MGRC seeks an exemption under 49 CFR 1150.31 to operate over approximately 73 miles of rail line in New Hampshire (the Line).

According to the verified notice, TRHC currently controls five Class III railroads through ownership of their controlling stock: (1) Vermont Railway, Inc.; (2) the Clarendon and Pittsford Railroad Company; (3) Washington County Railroad Company; (4) the New York & Ogdensburg Railway Company, Inc.; and (5) Green Mountain Railroad Corporation.

The verified notice states that: (1) The Line does not connect with any of the tracks of the other five railroads controlled by TRHC; (2) the transaction is not part of a series of anticipated transactions that would connect the Line to any of the tracks of the other railroads; and (3) neither MGRC nor any of the carriers controlled by TRHC are Class I rail carriers. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

The earliest this transaction may be consummated is June 20, 2020, the effective date of the exemption (30 days after the verified notice was filed).

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. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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 June 12, 2020 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36403, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423–0001. In addition, a copy of each pleading must be served on TRHC's representative, Thomas W. Wilcox, GKG Law, P.C., 1055 Thomas Jefferson Street NW, Suite 500, Washington, DC 20007.

According to the verified notice, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

Board decisions and notices are available at *www.stb.gov.*

Decided: June 2, 2020.

By the Board, Allison C. Davis, Director, Office of Proceedings.

Brendetta Jones,

Clearance Clerk.

[FR Doc. 2020–12229 Filed 6–4–20; 8:45 am]

BILLING CODE 4915–01–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. USTR–2020–0022]

Initiation of Section 301 Investigations of Digital Services Taxes

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of initiation of investigations, and request for comments.

SUMMARY: The U.S. Trade Representative is initiating investigations with respect to Digital Services Taxes (DSTs) adopted or under consideration by Austria, Brazil, the Czech Republic, the European Union, India, Indonesia, Italy, Spain, Turkey, and the United Kingdom. The Office of the United States Trade Representative (USTR) is seeking public comments in connection with these investigations.

DATES: To be assured of consideration, you must submit written comments by July 15, 2020.

ADDRESSES: You should submit written comments through the Federal eRulemaking Portal: *http://www.regulations.gov* (*Regulations.gov*). Follow the instructions for submitting comments in section IV. The docket number is USTR–2020–0022. For issues with on-line submissions, please contact the USTR Section 301 line at 202–395–5725.

FOR FURTHER INFORMATION CONTACT: For procedural questions concerning the submission of written comments, please contact the USTR Section 301 line at 202–395–5725.

For questions concerning the investigation, please contact Patrick Childress, Assistant General Counsel, 202–395–3150; or Robert Tanner, Director for ICT Services & Digital Trade, 202–395–6125.

For questions regarding specific jurisdictions covered by the investigations, please contact: For the EU, EU member States, Turkey, and the United Kingdom: Michael Rogers, Director for Europe, 202–395–2684; for Brazil, Courtney Smothers, Senior Director for MERCOSUR Countries, 202–395–7657; for India, Brendan Lynch, Deputy Assistant U.S. Trade Representative, South and Central Asian Affairs, 202–395–2851; and for Indonesia, Bart Thanhauser, Director for Southeast Asia and the Pacific, 202–395–4088.

SUPPLEMENTARY INFORMATION:

I. Digital Services Taxes

Over the past two years, various jurisdictions have taken under consideration or adopted taxes on revenues that certain companies generate from providing certain digital services to, or aimed at, users in those jurisdictions. They are referred to as Digital Services Taxes or DSTs. Available evidence suggests the DSTs are expected to target large, U.S.-based tech companies. These jurisdictions include:

Austria: In October 2019, Austria adopted a DST that applies a 5% tax to revenues from online advertising services. The law went into force on January 1, 2020. The tax applies only to