

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Finance Docket No. 34386]****R.J. Corman Equipment Company, LLC—Acquisition Exemption—Lines of CSX Transportation, Inc.**

R.J. Corman Equipment Company, LLC (RJCE), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from CSX Transportation, Inc. (CSXT), approximately 100.04 miles of rail line in Kentucky. Pursuant to an agreement to be entered into between RJCE and CSXT, RJCE will acquire CSXT's line of railroad, known as the Old Road, extending between approximately milepost 12.49 at HK Tower in Anchorage, KY (near Louisville), and approximately milepost 113.81 in Winchester, KY, a distance of approximately 91.48 miles.<sup>1</sup> In addition, RJCE will acquire the following associated branch lines: (1) The Bloomfield Branch, extending from a connection with the Old Road main line at milepost 30.64 to milepost 33.71, a distance of approximately 3.07 miles, in Shelbyville, KY; and (2) the Chilesburg Branch, extending from a connection with the Old Road main line at milepost 643.90 in Lexington, KY (milepost 97.74 on the Old Road main line), to milepost 638.41 near Cadentown, KY, a distance of approximately 5.49 miles. RJCE will also acquire certain industrial, spur and yard tracks in Lexington and Frankfort, KY. RJCE states that it will purchase the track and materials from CSXT and will lease the underlying real estate from CSXT for 15 years. CSXT will retain restricted overhead trackage rights on the portion of the Old Road between Winchester and Lexington for the operation of unit coal trains.

Based on projected annual revenues for the line, RJCE states that it expects to remain a Class III rail carrier after consummation of the proposed transaction. It certifies that its projected annual revenues do not exceed those that would qualify it as a Class III rail carrier. Nevertheless, RJCE certified to the Board on July 31, 2003, that a 60-day notice of this transaction, pursuant to 49 CFR 1150.42(e), was posted at the workplace of the employees on the Old Road line and was served on the national offices of the labor unions with employees on the Old Road.

<sup>1</sup> RJCE states that there are milepost equations on the line: At Christianburg, KY, where milepost 39.52 = milepost 49.46; at Lexington, KY, where milepost 93.43 = milepost 96.89; and near Montrose, KY, where milepost 102.76 = milepost 99.20.

RJCE states that it intends to consummate the transaction on September 30, 2003 (60 days after its certification to the Board under 49 CFR 1150.42(e)).

This transaction is related to a simultaneously filed verified notice of exemption in STB Finance Docket No. 34387, *R.J. Corman Railroad Company/Central Kentucky Lines—Lease Exemption—Lines of R.J. Corman Equipment Company, LLC*, wherein R.J. Corman Railroad Company/Central Kentucky Lines (RJCK) will lease and operate the line and associated branch lines being acquired by RJCE.

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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34386, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Ronald A. Lane, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2875.

Board decisions and notices are available on our Web site at "<http://www.stb.dot.gov>".

Decided: September 8, 2003.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 03-23257 Filed 9-11-03; 8:45 am]

**BILLING CODE 4915-00-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Finance Docket No. 34387]****R.J. Corman Railroad Company/Central Kentucky Lines—Lease and Operation Exemption—Lines of R.J. Corman Equipment Company, LLC**

R.J. Corman Railroad Company/Central Kentucky Lines (RJCK), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to lease from R.J. Corman Equipment Company, LLC (RJCE) and to operate 100.04 miles of RJCE's line of railroad and associated branch lines. The line extends from approximately milepost 12.49 at HK Tower in Anchorage, KY (near Louisville), to approximately milepost 113.81 in Winchester, KY, a

distance of approximately 91.48 miles.<sup>1</sup> The associated branch lines include: (1) The Bloomfield Branch, extending from a connection with the Old Road main line at milepost 30.64 to milepost 33.71, a distance of approximately 3.07 miles, in Shelbyville, KY; and (2) the Chilesburg Branch, extending from a connection with the Old Road main line at milepost 643.90 in Lexington, KY (milepost 97.74 on the Old Road main line), to milepost 638.41 near Cadentown, KY, a distance of approximately 5.49 miles. RJCK will also lease and operate certain industrial, spur and yard tracks in Lexington and Frankfort, KY. RJCK will operate and provide all rail common carrier service on the Old Road. CSXT will retain overhead trackage rights on the portion of the Old Road between Winchester and Lexington.

Based on projected annual revenues for the line, RJCK states that it expects to remain a Class III rail carrier after consummation of the proposed transaction. It certifies that its projected annual revenues do not exceed those that would qualify it as a Class III rail carrier. Nevertheless, RJCK certified to the Board on July 31, 2003, that it had posted a 60-day notice of intent to undertake the proposed transaction at the workplace of the employees on the affected line and that it had served a copy of the notice of intent on the national offices of all labor unions with employees on the rail line. See 49 CFR 1150.42(e).

RJCK states that it intends to consummate the transaction on September 30, 2003 (60 days after its certification to the Board under 49 CFR 1150.42(e)), and commence operations on October 1, 2003.

This transaction is related to STB Finance Docket No. 34386, *R.J. Corman Equipment Company, LLC—Acquisition Exemption—Lines of CSX Transportation, Inc.*, wherein RJCE seeks to acquire the line and associated branch lines from CSX Transportation, Inc.

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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34387, must be filed with the Surface Transportation Board, 1925

<sup>1</sup> There are milepost equations at Christianburg, KY, where milepost 39.52 = milepost 49.46; at Lexington, KY, where milepost 93.43 = 96.89; and near Montrose, KY, where milepost 102.76 = milepost 99.20.

K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Ronald A. Lane, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, IL 60606-2875.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 8, 2003.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 03-23258 Filed 9-11-03; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Notice of Allocation Availability Inviting Applications for the New Markets Tax Credit Program: Change of Certain Deadlines; New Markets Tax Credit Program Allocation Application: CDE Registration

**AGENCY:** Community Development Financial Institutions Fund, Department of the Treasury.

**ACTION:** Notice of Allocation Availability ("NOAA") inviting applications for the second round of the New Markets Tax Credit ("NMTC") Program: Change of Certain Deadlines; NMTC Program Allocation Application: CDE Registration.

*Change of Certain Deadlines:* On July 18, 2003, the Community Development Financial Institutions Fund (the "Fund") announced in a NOAA for the NMTC Program (68 **Federal Register** 42806) that a request for a paper application must be made using the NMTC Paper Application Submission Form (available from the Fund's Web site at <http://www.cdfifund.gov>), and that the request must be received by the Fund by September 15, 2003. The NOAA also announced that the Fund will provide programmatic and information technology support related to the allocation application through September 26, 2003. Lastly, under the Eligibility section of the NOAA, the Fund announced that a prior Allocatee of the NMTC Program is not eligible to receive a NMTC Allocation pursuant to the NOAA unless the Allocatee can demonstrate via the Fund's allocation tracking system that, as of February 17, 2004, it has issued and the Allocatee has received cash from its investors for 50 percent of its Qualified Equity Investments relating to its prior NMTC

Allocation. The February 17, 2004 deadline also applied if a prior Allocatee controls the applicant, is controlled by the applicant or shares common management officials with the applicant.

This notice is to announce that, due to delays in the development of the electronic application and related documents, and delays in the delivery of the allocation agreements to prior Allocatees, the Fund is extending the aforesaid deadlines as follows:

(1) *Paper Applications:* If an applicant is unable to submit an electronic application, it must submit to the Fund a request for a paper application using the NMTC Paper Application Submission Form, and the request must be received by the Fund by September 19, 2003. The NMTC Paper Application Submission Form may be obtained from the Fund's Web site at <http://www.cdfifund.gov> or the form may be requested by e-mail at [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov) or by calling the Fund's NMTC Program help desk at (202) 622-7373. The completed NMTC Paper Application Submission Form should be directed to the Fund's Chief Financial Officer and must be sent by facsimile to (202) 622-8911.

The deadline for receipt of a paper application, including the requisite original signature page and all attachments, at the designated location is 5 p.m. ET on September 30, 2003. Paper applications received after that date and time will not be accepted for consideration and will be returned to the sender. Applications sent by facsimile or by e-mail will not be accepted.

(2) *Program and Information Technology Support:* The Fund will provide programmatic and information technology support related to the allocation application between the hours of 9 a.m. and 5 p.m. ET through September 29, 2003. The Fund will not respond to phone calls or e-mails concerning the application that are received after 5 p.m. ET on September 29, 2003, until after the allocation application deadline of September 30, 2003. Programmatic support can be obtained by calling (202) 622-7373 or through e-mail by sending questions or requests for programmatic assistance to [cdfihelp@cdfi.treas.gov](mailto:cdfihelp@cdfi.treas.gov). Information technology support can be obtained by calling (202) 622-2455 or through e-mail by sending questions or requests for information technology assistance to [ithelpdesk@cdfi.treas.gov](mailto:ithelpdesk@cdfi.treas.gov).

(3) *Entities That Have Received NMTC Allocations in the Prior NMTC Program Allocation Round:* Applicants are hereby notified that success in a

prior round of the NMTC Program or any of the Fund's other programs is not a predictor of success under the NOAA. A prior Allocatee of the NMTC Program is not eligible to receive a NMTC Allocation pursuant to the NOAA unless the Allocatee can demonstrate via the Fund's allocation tracking system that, as of March 5, 2004, it has issued and the Allocatee has received cash from its investors for 50 percent of its Qualified Equity Investments relating to its prior NMTC Allocation. Further, an entity is not eligible to receive a NMTC Allocation pursuant to the NOAA if another entity that Controls the applicant, is Controlled by the applicant or shares common management officials with the applicant (as determined by the Fund), has not, as of March 5, 2004, issued and received cash from its investors for 50 percent of its Qualified Equity Investments relating to a prior NMTC Allocation. For purposes of this section of the NOAA, the Fund will only count as "issued" those Qualified Equity Investments that have been recorded in the Fund's allocation tracking system by March 5, 2004. Allocatees and their Subsidiary transferees, if any, are advised to access the Fund's allocation tracking system to record each Qualified Equity Investment that they issue to an investor in exchange for cash.

*CDE Registration:* The Applicant Instructions section of the 2003 NMTC Program Allocation Application states that an applicant that is a Community Development Financial Institution (CDFI) or Specialized Small Business Investment Company (SSBIC) and is not currently certified as a qualified community development entity (CDE) must register as a CDE on the Fund's Web site by 5 p.m. ET on August 29, 2003 in order to be eligible to apply for an NMTC Allocation. The Fund has recently learned that some CDFIs or SSBICs may have experienced technical issues with accessing the Fund's CDE registration database which may have prevented such entities from registering as CDEs by the August 29, 2003 deadline. Such applicants are advised to contact Matthew Josephs, the Acting NMTC Program Manager, so that the Fund may determine whether they will be eligible to apply for a NMTC Allocation. All other information and requirements set forth in the July 18, 2003 NOAA for the NMTC Program and the 2003 NMTC Program Allocation Application shall remain effective, as published.

**FOR FURTHER INFORMATION CONTACT:** Applications and other information regarding the Fund and its programs