

financial assistance (OFA) has been received, this exemption will be effective on January 23, 2007, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by January 2, 2007. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by January 11, 2007, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to BSRC's representative: Michael M. Partain, Esq., United States Steel Corporation, 6200 E. J. Oliver Boulevard, Suite 192, Fairfield, AL 35064.

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

BSRC has filed environmental and historic reports which address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by December 29, 2006. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), BSRC shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by BSRC's filing of a notice of consummation by December 22, 2007, and there are no legal or regulatory

barriers to consummation, the authority to abandon will automatically expire.

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

Decided: December 14, 2006.

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

**Vernon A. Williams,**  
Secretary.

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## DEPARTMENT OF VETERANS AFFAIRS

### Reasonable Charges for Medical Care or Services; 2007 Calendar Year Update

**AGENCY:** Department of Veterans Affairs.  
**ACTION:** Notice.

**SUMMARY:** Section 17.101 of Title 38 of the Code of Federal Regulations sets forth the Department of Veterans Affairs (VA) medical regulations concerning "reasonable charges" for medical care or services provided or furnished by VA to a veteran:

—For a nonservice-connected disability for which the veteran is eligible for care (or the payment of expenses of care) under a health plan contract;

—For a nonservice-connected disability incurred incident to the veteran's employment and covered under a worker's compensation law or plan that provides reimbursement or indemnification for such care and services; or

—For a nonservice-connected disability incurred as a result of a motor vehicle accident in a State that requires automobile accident reparations insurance.

The regulations include methodologies for establishing billed amounts for the following types of charges: acute inpatient facility charges; skilled nursing facility/sub-acute inpatient facility charges; partial hospitalization facility charges; outpatient facility charges; physician and other professional charges, including professional charges for anesthesia services and dental services; pathology and laboratory charges; observation care facility charges; ambulance and other emergency transportation charges; and charges for durable medical equipment, drugs, injectables, and other medical services, including professional charges for anesthesia services and dental services; pathology and laboratory charges; observation care facility charges; ambulance and other emergency transportation charges; and charges for durable medical equipment, drugs, injectables, and other medical services, and supplies identified by Healthcare Common Procedure Coding System (HCPCS) Level II codes. The regulations also provide that data for

calculating actual charge amounts at individual VA facilities based on these methodologies will be posted on the Internet site of the Veterans Health Administration Chief Business Office, currently at <http://www.va.gov/cbo>, under "Charge Data." Some of these charges are hereby updated as described in the **SUPPLEMENTARY INFORMATION** section of this notice. These changes are effective January 1, 2007.

When charges for medical care or services provided or furnished at VA expense by either VA or non-VA providers have not been established under other provisions of the regulations, the method for determining VA's charges is set forth at 38 CFR 17.101(a)(8).

**FOR FURTHER INFORMATION CONTACT:** Romona Greene, Chief Business Office (168), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 254-0361. (This is not a toll free number.)

**SUPPLEMENTARY INFORMATION:** Of the charge types listed in the Summary section of this notice, acute inpatient facility charges and skilled nursing facility/sub-acute inpatient facility charges are not being changed. Acute inpatient facility charges remain the same as set forth in a notice published in the **Federal Register** on September 28, 2006 (71 FR 57028). Skilled nursing facility/sub-acute inpatient facility charges remain the same as set forth in a notice published in the **Federal Register** on September 28, 2006 (71 FR 57028).

Based on the methodologies set forth in 38 CFR 17.101, this document provides an update to charges for 2007 HCPCS Level II and Current Procedural Technology (CPT) codes. Charges are also being updated based on more recent versions of data sources for the following charge types: partial hospitalization facility charges; outpatient facility charges; physician and other professional charges, including professional charges for anesthesia services and dental services; pathology and laboratory charges; observation care facility charges; ambulance and other emergency transportation charges; and charges for durable medical equipment, drugs, injectables, and other medical services, items, and supplies identified by HCPCS Level II codes. These updated charges are effective January 1, 2007.

In this update, we are retaining the table designations used in the notice posted on the Internet site of the Veterans Health Administration Chief Business Office currently at <http://>

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,300. See 49 CFR 1002.2(f)(25).

[www1.va.gov/cbo](http://www1.va.gov/cbo), under “Charge Data.” The effective date of this change was August 25, 2006 and the notice can also be found in the **Federal Register** (71 FR 50504). Accordingly, the tables identified as being updated by this notice correspond to the applicable tables posted on the internet with the notice, beginning with Table C.

We have updated the list of data sources, presented in Supplementary Table 1, that were used to establish the updated charges described in this notice.

As a reminder, in Supplementary Table 3 published in the **Federal**

**Register** dated September 28, 2006, we set forth the list of VA medical facility locations, which includes their three-digit Zip Codes and provider based/non-provider based designations. In accordance with the final rule, subsequent updates to Supplementary Table 3 will be posted on the Internet site of the Veterans Health Administration Chief Business Office.

Consistent with the regulations, the updated data tables and supplementary tables containing the changes described in this notice will be made available during January 2007, on the internet site

of the Veterans Health Administration Chief Business Office, currently at <http://www1.va.gov/cbo>, under “Charge Data (Rates)”. The updated data tables and supplementary tables containing the changes described will be effective until changed by a subsequent **Federal Register** notice.

Approved: December 6, 2006.

**Gordon H. Mansfield,**

*Deputy Secretary of Veterans Affairs.*

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