

certain programmed track, roadbed and structural maintenance.<sup>2</sup>

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980), and any employee affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If the 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. 34857, 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 William A. Mullins, 2401 Pennsylvania Ave., NW., Suite 300, Washington, DC 20037.

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

Decided: April 11, 2006.

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

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

[FR Doc. 06-3620 Filed 4-14-06; 8:45 am]

**BILLING CODE 4915-01-M**

<sup>2</sup> Applicants state that Tex Mex has operated over the Glidden Subdivision via trackage rights since 1996. On March 29, 2006, in STB Finance Docket No. 34849, *Kansas City Southern, The Kansas City Southern Railway Company, and The Texas Mexican Railway Company—Exemption for Transactions Within a Corporate Family*, applicants filed a verified notice of exemption involving the assignment to, and acquisition by, KCSR of all of Tex Mex's trackage and operating rights. Also on March 29, in STB Finance Docket No. 34848, *The Kansas City Southern Railway Company—Trackage Rights Exemption—The Texas Mexican Railway Company*, Tex Mex agreed to grant KCSR local and overhead trackage rights over its entire 157-mile rail line between Laredo and Corpus Christi, TX. All three related notices are being published and served simultaneously.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34848]

#### The Kansas City Southern Railway Company—Trackage Rights Exemption—The Texas Mexican Railway Company

The Texas Mexican Railway Company (Tex Mex) has agreed to grant local and overhead trackage rights to The Kansas City Southern Railway Company (KCSR),<sup>1</sup> to permit KCSR to operate over its entire line of railroad, approximately 157 miles, between milepost 0.0 at Laredo, TX, and milepost 157.0 at Corpus Christi, TX, including access to all sidings, yards and connections thereto.

This notice is related to a concurrently filed notice of exemption in STB Finance Docket No. 34849, *Kansas City Southern, The Kansas City Southern Railway Company, and The Texas Mexican Railway Company—Exemption for Transactions Within a Corporate Family*, which involves the assignment to, and acquisition by, KCSR of all of Tex Mex's trackage and operating rights, generally: (1) Over lines of Union Pacific Railroad Company (UP) between Beaumont and Houston, TX; (2) over lines of Houston Belt & Terminal Railway Company (HBT) in and around Houston; and (3) over lines of UP between Houston and Corpus Christi and Robstown, TX.

The parties state that the transaction was scheduled to be consummated on April 1, 2006. However, on March 29, 2006, the record in the concurrently filed notice of exemption was supplemented, thereby causing the official filing date for both notices to be March 29, 2006. Therefore, the earliest this transaction could have been consummated was April 5, 2006 (the effective date of the exemption).<sup>2</sup>

This transaction, in conjunction with the assignment and acquisition of Tex Mex's trackage and operating rights in the related notice of exemption, will allow KCSR to provide single-line service from Kansas City to Laredo, and to market the route as a KCSR route without having to include Tex Mex in the routing or the bill of lading. KCSR

<sup>1</sup> A draft copy of the trackage rights agreement was filed with the notice of exemption. Applicants state that a copy of the executed agreement will be filed with the Board within the time frame specified at 49 CFR 1180.6(a)(7)(ii).

<sup>2</sup> Under 49 CFR 1180.4(g), a railroad must file a verified notice of the transaction with the Board at least one week in advance of consummation, in order to qualify for an exemption under 49 CFR 1180.2(d).

will also provide local rail service to shippers located on the line.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If the 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. 34848, 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 Robert B. Terry, 427 West 12th Street, Kansas City, MO 64105, and William A. Mullins, 2401 Pennsylvania Ave., NW., Suite 300, Washington, DC 20037.

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

Decided: April 7, 2006.

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

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

[FR Doc. E6-5550 Filed 4-14-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34849]

#### Kansas City Southern, The Kansas City Southern Railway Company, and The Texas Mexican Railway Company—Exemption for Transactions Within a Corporate Family

Kansas City Southern (KCS), The Kansas City Southern Railway Company (KCSR), and The Texas Mexican Railway Company (Tex Mex), have filed a verified notice of exemption for a transaction within a corporate family. The transaction involves the assignment to, and acquisition by, KCSR of all of Tex Mex's trackage and operating rights.

The trackage rights agreements and mileposts governing Tex Mex's trackage rights are as follows: (1) An agreement dated June 16, 1997, between Southern Pacific Transportation Company (SP) and Tex Mex, granting Tex Mex trackage

rights over SP's tracks between Houston, TX, in the vicinity of SP's milepost 360.42 (Carr Street Connection) and Beaumont, TX, in the vicinity of SP's milepost 282.4; (2) an agreement between Missouri Pacific Railroad Company (MP), SP, and Tex Mex governing tracks between Robstown, TX, and Corpus Christi, TX, and Beaumont, and various tracks in and around Houston, including the following: (a) MP's line between Robstown in the vicinity of MP milepost 141.48 and Placedo, TX, in the vicinity of MP milepost 224.2, (b) MP's line between Corpus Christi in the vicinity of MP milepost 145.59 and Odem, TX, in the vicinity of MP milepost 132.2, via Savage Lane to MP's Viola Yard; SP's line between Placedo in the vicinity of SP milepost 14.2 and West Junction, TX, in the vicinity of SP milepost 12.6, via Victoria, TX, and Flatonía, TX, (c) SP's line between West Junction in the vicinity of SP milepost 12.6 and T&NO Junction, TX, in the vicinity of SP milepost 4.6, (d) SP's line from West Junction through Bellaire Junction, TX, to Chaney Junction, TX, in the vicinity of SP milepost 2.8, (e) SP's line from Chaney Junction in the vicinity of SP milepost 2.8 to Tower 26 in the vicinity of SP milepost 360.7, via the Houston Passenger station, (f) SP's line from Chaney Junction in the vicinity of SP milepost 2.8 to Tower 26 in the vicinity of SP milepost 360.7, via the Hardy Street yard, (g) MP's line from Settegast Junction, TX, in the vicinity of MP milepost 381.61 to the connection with Houston Belt & Terminal Railway Company (HB&T) at Interstate Junction, TX, in the vicinity of MP milepost 7.60, (h) SP's line from T&NO Junction in the vicinity of SP milepost 4.6 to the connection with PTR A in the vicinity of Katy Neck (GH&H Junction) in the vicinity of SP milepost 1.3, (i) SP's line from SP milepost 360.7 near Tower 26 to the connection with HB&T at Quitman Street in the vicinity of SP milepost 1.45, (j) MP's line between Gulf Coast Junction, TX, in the vicinity of MP milepost 377.98 and Amelia, TX, in the vicinity of MP milepost 451.4, (k) MP's line between Amelia in the vicinity of MP milepost 451.4 and the connection with SP at Langham Road, TX, in the vicinity of MP milepost 456.7, (l) SP's line between Langham Road in the vicinity of MP milepost 456.7 and Tower 74 in the vicinity of MP milepost 458.8, and (m) MP's line between Tower 74 in the vicinity of MP milepost 458.8, and (i) the connection with the Kansas City Southern Railway Company (KCS) at GLC Junction, TX, in the vicinity of MP milepost 460.36 (KCS

milepost 766.7), and (ii) the connection with KCS at the Neches River Draw Bridge in Beaumont in the vicinity of KCS milepost 766.0; and (3) an agreement between Tex Mex and HB&T governing tracks in Houston, including, but not limited to HB&T's line from Quitman Street in the vicinity of HB&T milepost 4.7 (West Belt Subdivision) to the HB&T connection with Union Pacific Railroad Company (UP) at Gulf Coast Junction in the vicinity of HB&T milepost 4.6 (East Belt Subdivision), a distance of 3.6 miles; and HB&T's line from its connection with SP at T&NO Junction (Tower 81) in the vicinity of HB&T milepost 11.0 (West Belt Subdivision) to HB&T's connection with UP at Interstate Junction in the vicinity of HB&T milepost 7.5 (East Belt Subdivision), a distance of 8.2 miles.

Applicants state that Tex Mex acquired its trackage rights as part of the UP/SP merger and its various related proceedings.<sup>1</sup> Applicants further state that Tex Mex's rights within Houston were further clarified and amended in *Houston/Gulf Coast Oversight* to provide Tex Mex with a "clear route" through Houston. The purpose of the "clear route" provision was to provide dispatchers with the ability to route a Tex Mex train over any section of Houston switching track as necessary to improve service and alleviate congestion. Further, applicants state that, as a result, not all mileposts and switching tracks over which Tex Mex can operate are specifically delineated within the three agreements.

KCS is a publicly traded, noncarrier holding company, with both rail and non-rail assets. KCS currently controls 3 rail common carriers: (1) KCSR, a Class I carrier that owns and operates approximately 3,100 miles of rail line in ten states; (2) Gateway Eastern Railway Company, a Class III carrier that owns and operates approximately 17 miles of rail line between East Alton and East St. Louis, IL, and the rail and related materials on many of KCSR's branch lines; and (3) Tex Mex, a Class II carrier.

This notice is related to a concurrently filed notice of exemption in STB Finance Docket No. 34848, *The Kansas City Southern Railway Company—Trackage Rights Exemption—The Texas Mexican Railway Company*, wherein Tex Mex has agreed to grant local and overhead trackage rights to KCSR to permit KCSR

to operate over its entire line of railroad, approximately 157 miles, between milepost 0.0 at Laredo, TX, and milepost 157.0 at Corpus Christi, TX, including access to all sidings, yards and connections thereto.

The parties stated that the transaction was scheduled to be consummated on April 1, 2006. However, on March 29, 2006, the record in this proceeding was supplemented, thereby causing the official filing date to be March 29, 2006. Therefore, the earliest the transaction could have been consummated was April 5, 2006 (the effective date of the exemption).<sup>2</sup>

This transaction and the transaction in the related notice of exemption are part of an intra-corporate transaction that will allow KCSR to provide single-line service from Kansas City to Laredo, and to market the route as a KCSR route without having to include Tex Mex in the routing or the bill of lading.

This is a transaction within a corporate family of the type exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties state that the transaction will not result in adverse changes in service levels, significant operational changes, or changes in the competitive balance with carriers outside the KCS corporate family.

As a condition to the use of this exemption, any employees adversely affected by this transaction will be protected by the conditions set forth in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

If the 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. 34849, 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 Robert B. Terry, 427 West 12th Street, Kansas City, MO 64105, and William A. Mullins, 2401 Pennsylvania Ave., NW., Suite 300, Washington, DC 20037.

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

<sup>1</sup> See *Union Pacific/Southern Pacific Merger*, 1 S.T.B. 233 (1996), *aff'd sub nom. Western Coal Traffic League v. STB*, 169 F.3d 775 (D.C. Cir. 1999) (*UP-SP Merger*); *Union Pacific/Southern Pacific Merger*, STB Finance Docket No. 32760 (Sub-No. 26) (*Houston/Gulf Coast Oversight*), 3 S.T.B. 1030 (1998).

<sup>2</sup> Under 49 CFR 1180.4(g), a railroad must file a verified notice of the transaction with the Board at least one week in advance of consummation, in order to qualify for an exemption under 49 CFR 1180.2(d).

Decided: April 7, 2006.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-5551 Filed 4-14-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-290 (Sub-No. 269X)]

#### Norfolk Southern Railway Company— Discontinuance of Service Exemption—in Norfolk, VA

On March 28, 2006, Norfolk Southern Railway Company (NSR) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to discontinue service over an approximately 1.63-mile line of railroad between milepost VB-0.12 near Park Avenue and milepost VB-1.75 near Tidewater Junction in Norfolk, VA. The line traverses U.S. Postal Service Zip Codes 23502 and 23504, and serves the station of Tidewater Junction in Norfolk.

The line does not contain federally granted rights-of-way. Any documentation in the possession of the railroad will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.-Abandonment-Goshen*, 360 I.C.C. 91 (1979).

By issuing this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by July 14, 2006.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,300 filing fee. See 49 CFR 1002.2(f)(25).<sup>1</sup>

All filings in response to this notice must refer to STB Docket No. AB-290 (Sub-No. 269X) and must be sent to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001; and (2) James R. Paschall, Three Commercial Place, Norfolk, VA 23510-2191. Replies to the petition are due on or before May 8, 2006.

Persons seeking further information concerning discontinuance procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to

the full abandonment or discontinuance regulations at 49 CFR part 1152.

Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

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

Decided: April 7, 2006.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-5492 Filed 4-14-06; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Open Meeting of the Area 3 Taxpayer Advocacy Panel (Including the States of Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas and Puerto Rico)

**AGENCY:** Internal Revenue Service (IRS),  
Treasury.

**ACTION:** Notice.

**SUMMARY:** An open meeting of the Area 3 Taxpayer Advocacy Panel will be conducted in Atlanta, GA. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

**DATES:** The meeting will be held Thursday, May 11, Friday, May 12, and Saturday, May 13, 2006.

**FOR FURTHER INFORMATION CONTACT:** Sallie Chavez at 1-888-912-1227 (toll-free), or 954-423-7979 (non toll-free).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Area 3 Taxpayer Advocacy Panel will be held Thursday, May 11, 2006, from 1 p.m. to 5 p.m., Friday, May 12, 2006, from 8 a.m. to 5 p.m. and Saturday, May 13, 2006, from 8 a.m. to 12 p.m. e.t. in the Marriot Midtown Suites, 35 14th Street, Atlanta, GA 30309. For information or to confirm attendance, notification of intent to attend the meeting must be made with Sallie Chavez. Mrs. Chavez may be reached at 1-888-912-1227 or 954-423-7979 or write Sallie Chavez, 1000 South Pine Island Rd., Suite 340, Plantation, FL 33324, or post comments

to the Web site: <http://www.improveirs.org>.

The agenda will include: Various IRS issues.

Dated: April 10, 2006.

**John Fay,**

*Acting Director, Taxpayer Advocacy Panel.*

[FR Doc. E6-5612 Filed 4-14-06; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Open Meeting of the Area 1 Taxpayer Advocacy Panel (Including the States of New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont and Maine)

**AGENCY:** Internal Revenue Service (IRS),  
Treasury.

**ACTION:** Notice.

**SUMMARY:** An open meeting of the Area 1 Taxpayer Advocacy Panel will be conducted at the Cranston Public Library located at 140 Sockanosset Cross Road, Cranston, Rhode Island 02920-5539. Taxpayer Advocacy Panel is soliciting public comments, ideas and suggestions on improving customer service at the Internal Revenue Service.

**DATES:** The meeting will be held Thursday, May 11, 2006.

**FOR FURTHER INFORMATION CONTACT:** Audrey Y. Jenkins at 1-888-912-1227 (toll-free), or 718-488-2085 (non toll-free).

**SUPPLEMENTARY INFORMATION:** An open meeting of the Area 1 Taxpayer Advocacy Panel will be held Thursday, May 11, 2006 from 8:30 a.m. e.t. to 5 p.m. e.t. at the Cranston Public Library located at 140 Sockanosset Cross Road, Cranston, Rhode Island 02920-5539. Individual comments will be limited to 5 minutes. If you would like to have the TAP consider a written statement, please call 1-888-912-1227 or 718-488-2085, or write Audrey Y. Jenkins, TAP Office, 10 MetroTech Center, 625 Fulton Street, Brooklyn, NY 11201. Due to limited time, notification of intent to participate in the meeting must be made with Audrey Y. Jenkins. Ms. Jenkins can be reached at 1-888-912-1227 or 718-488-2085, or post comments to the Web site: <http://www.improveirs.org>.

The agenda will include various IRS issues.

Dated: April 10, 2006.

**John Fay,**

*Acting Director, Taxpayer Advocacy Panel.*

[FR Doc. E6-5613 Filed 4-14-06; 8:45 am]

**BILLING CODE 4830-01-P**

<sup>1</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historic documentation is required under 49 CFR 1105.6(c) and 1105.8.