

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on December 30, 2005, 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 December 9, 2005. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by December 20, 2005, 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 UP's representative: Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

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

UP has filed a combined environmental report and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by December 5, 2005. 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), UP 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 UP's filing of a notice of consummation by November 30, 2006, 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: November 22, 2005.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 05-23424 Filed 11-29-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34777]

#### Blackwell Northern Gateway Railroad Company—Change in Operators Exemption—Oklahoma Department of Transportation and Blackwell Industrial Authority

Blackwell Northern Gateway Railroad Company (BNGR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to operate 35.26 miles of the rail line, owned by the State of Oklahoma by and through the Oklahoma Department of Transportation and Blackwell Industrial Authority. The rail line extends: (1) Between milepost 34.3 at Blackwell, OK, and milepost 18 + 1712.9 feet at the Oklahoma/Kansas State line near Hun Newell, KS; (2) between milepost 35 + 1848 feet, west of Blackwell, OK, and milepost 34.3 at Blackwell, OK; and (3) between milepost 18 + 1712.9 feet at the Oklahoma/Kansas State line near Hun Newell, KS, and milepost 0 + 466.3 feet, at Wellington, KS. BNGR will replace Blackwell & Northern Railway Company, which has been operating over the line, and will become a class III rail carrier.<sup>1</sup> BNGR certifies that its projected revenues as a result of this transaction will not exceed those that would qualify it as a Class III carrier and that such revenues would not exceed \$5 million.

The transaction was scheduled to be consummated no earlier than November 7, 2005, the effective date of the exemption (7 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed

<sup>1</sup> See *Blackwell & Northern Railway Company, Inc.—Operation Exemption—Oklahoma Department of Transportation and Blackwell Industrial Authority*, STB Finance Docket No. 34265 (STB served Nov. 4, 2002).

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. 34777, 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, Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112.

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

Decided: November 22, 2005.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. E5-6678 Filed 11-29-05; 8:45 am]

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## U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

### Notice of Open Public Hearing

**AGENCY:** U.S.-China Economic and Security Review Commission.

**ACTION:** Notice of open public hearing.

**SUMMARY:** Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission.

*Name:* C. Richard D'Amato, Chairman of the U.S.-China Economic and Security Review Commission.

The Commission is mandated by Congress to investigate, assess, evaluate and report to Congress annually on "the national security implications of the bilateral trade and economic relationship between the United States and the People's Republic of China." Pursuant to this mandate, the Commission will be holding a public hearing in Washington, DC on December 8, 2005.

### Background

This event is the first in a series of public hearings the Commission will hold during its 2005-2006 report cycle to collect input from leading experts in academia, business, industry, government and the public on the impact of U.S.-China trade and economic relations. The December 8 hearing is being conducted to secure commentary about issues connected to the Hong Kong Ministerial Conference of the Doha Round of the World Trade Organization's trade expansion negotiations that will occur on December 13-18, 2005. Information on

<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 \$1,200. See 49 CFR 1002.2(f)(25).