

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Ex Parte No. 290 (Sub-No. 5) (2005-4)]

**Quarterly Rail Cost Adjustment Factor**

**AGENCY:** Surface Transportation Board.  
**ACTION:** Approval of rail cost adjustment factor.

**SUMMARY:** The Board has approved the fourth quarter 2005 rail cost adjustment factor (RCAF) and cost index filed by the Association of American Railroads. The fourth quarter 2005 RCAF (Unadjusted) is 1.185. The fourth quarter 2005 RCAF (Adjusted) is 0.572. The fourth quarter 2005 RCAF-5 is 0.548.

**EFFECTIVE DATE:** October 1, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mac Frampton, (202) 565-1541. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision, which is available on our Web site <http://www.stb.dot.gov>. To purchase a copy of the full decision, write to, e-mail or call the Board's contractor, ASAP Document Solutions; 9332 Annapolis Rd., Suite 103, Lanham, MD 20706; e-mail [asapdc@verizon.net](mailto:asapdc@verizon.net); phone (202) 306-4004. [Assistance for the hearing impaired is available through FIRS: 1-800-877-8339.]

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: September 15, 2005.

By the Board, Chairman Nober, Vice Chairman Buttrey, and Commissioner Mulvey.

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

[FR Doc. 05-18943 Filed 9-22-05; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Finance Docket No. 34741]

**KWT Railway, Inc.—Lease and Operation Exemption—Murray-Calloway County Economic Development Corporation**

KWT Railway, Inc. (KWT), a Class III rail carrier, has filed a verified notice of

exemption under 49 CFR 1150.41 to lease and operate approximately one mile of rail line. The line is being leased from Murray-Calloway County Economic Development Corporation (EDC) and runs between milepost 38.34 and approximately milepost 37.34 near Murray, in Calloway County, KY.<sup>1</sup>

KWT certifies that its projected revenues as a result of the transaction will not result in the creation of a Class II or Class I rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million.

The transaction was scheduled to be consummated on or after September 1, 2005.

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. 34741, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Eric M. Hocky, Four Penn Center, Suite 200, 1600 John F. Kennedy Blvd., Philadelphia, PA 19103-2808.

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

Decided: September 14, 2005.

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

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

[FR Doc. 05-18842 Filed 9-22-05; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Finance Docket No. 34748]

**Morehead & South Fork Railroad Co., Inc.—Acquisition and Operation Exemption—Carolina Rail Service, LLC**

Morehead & South Fork Railroad Co., Inc. (MHSF), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Carolina

<sup>1</sup>This transaction is related to STB Finance Docket No. 34742, *Murray-Calloway County Economic Development Corporation—Acquisition Exemption—Hardin Southern Railroad, Inc.*, wherein EDC, a noncarrier, has filed a notice of exemption to acquire by purchase from Hardin Southern Railroad, Inc. an 8.34-mile rail line between milepost 38.34 near Murray and milepost 30, near Hardin, Ky. That exemption was effective on August 15, 2005.

Rail Service, LLC (CRS), and operate CRS's exclusive freight easement over all railroad tracks at the Port of Morehead City, NC.<sup>1</sup> The tracks are owned by North Carolina State Ports Authority (SPA).<sup>2</sup> MHSF will operate over the rail property pursuant to an operating agreement with SPA.

This transaction is related to STB Finance Docket No. 34749, *Gulf & Ohio Railways Holding Co., Inc., H. Peter Claussen and Linda C. Claussen—Continuance in Control Exemption—Morehead & South Fork Railroad Co., Inc.*, wherein Gulf & Ohio Railways Holding Co., Inc. (G&O), and H. Peter Claussen and Linda C. Claussen, all noncarriers, have concurrently filed a verified notice of exemption to continue in control of MHSF, upon its becoming a Class III rail carrier.<sup>3</sup>

MHSF certifies that the projected annual revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier, and further certifies that its projected annual revenues will not exceed \$5 million. The transaction was scheduled to be consummated on or after September 1, 2005.

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. 34748, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Rose-Michele Nardi, Weiner Brodsky Sidman Kider PC, 1300 19th St., NW., Fifth Floor, Washington, DC 20036-1609.

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

<sup>1</sup>The transaction includes approximately 0.87 miles of rail line in Carteret County, NC, from approximately milepost 0.0 (in or near Morehead City) to approximately milepost 0.87 at Gallants Channel (in or near Morehead City), serving the intermediate stations of Marsh Island and Radio Island, as well as all spur tracks, yard tracks, side tracks, interchange tracks and industrial tracks located on the Port. The transaction also includes approximately 4 miles of intra-terminal track.

<sup>2</sup>The Board previously determined that SPA's acquisition of the subject line did not require Board action and it declined to exercise jurisdiction over the transaction. See *North Carolina State Ports Authority—Acquisition Exemption—North Carolina Ports Railway Commission*, STB Finance Docket No. 34258 (STB served Oct. 31, 2002).

<sup>3</sup>MHSF is wholly owned by G&O, which controls several Class III rail carriers; G&O, in turn, is wholly owned by H. Peter Claussen and Linda C. Claussen. The Claussens also own and control H&S Railroad, Inc., a Class III rail carrier.

Decided: September 16, 2005.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 05-19025 Filed 9-22-05; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34744]

#### **R.J. Corman Railroad Company/ Pennsylvania Lines Inc.—Lease and Operation Within a Corporate Family Transaction Exemption—R.J. Corman Railroad Property, LLC**

R.J. Corman Railroad Company/  
Pennsylvania Lines Inc. (RJCP), a Class  
III rail carrier, has filed a notice of  
exemption under 49 CFR 1180.2(d)(3).  
The exemption involves what RJCP  
describes as a corporate family  
transaction whereby R.J. Corman  
Railroad Property, LLC (Railroad  
Property) will lease to RJCP and RJCP  
will operate a line of railroad, known as  
the Loup Creek Branch, extending from  
milepost 0.0 at Thurmond, WV, to  
milepost 12.0 at Mt. Hope, WV, a  
distance of approximately 12 miles.<sup>1</sup>

The transaction was scheduled to be  
consummated on or shortly after  
September 1, 2005, the effective date of  
the exemption.

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

According to RJCP, the purpose of the  
transaction is to substitute one Corman  
affiliate for another as the leasee and  
operator of the line, which will address  
certain tax and financing considerations  
within the Corman family of companies,  
and will not result in any changes in rail  
service or operations.

Under 49 U.S.C. 10502(g), the Board  
may not use its exemption authority to  
relieve a rail carrier of its obligation to  
protect the interests of its employees.  
Section 11326(c), however, does not  
provide for labor protection for  
transactions under sections 11324 and  
11325 that involve only Class III rail  
carriers. Accordingly, the Board may not

<sup>1</sup> Prior to this transaction, the Loup Creek Branch  
was leased and operated by R.J. Corman Railroad  
Company/Bardstown Lines (RJCR). RJCP, Railroad  
Property and RJCR are commonly controlled by  
Richard J. Corman (Corman).

impose labor protective conditions here  
because all of the carriers involved are  
Class III carriers.

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. 34744, must be filed with  
the Surface Transportation Board, 1925  
K Street, NW., Washington, DC 20423-  
0001. In addition, one copy of each  
pleading must be served on Ronald A.  
Lane, Fletcher & Sippel LLC, 29 North  
Wacker Drive, Suite 920, Chicago, IL  
60606-2832.

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

Decided: September 19, 2005.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 05-19024 Filed 9-22-05; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### **Submission for OMB Review; Comment Request**

September 16, 2005.

The Department of the Treasury has  
submitted the following public  
information collection requirement(s) to  
OMB for review and clearance under the  
Paperwork Reduction Act of 1995,  
Public Law 104-13. Copies of the  
submission(s) may be obtained by  
calling the Treasury Bureau Clearance  
Officer listed. Comments regarding this  
information collection should be  
addressed to the OMB reviewer listed  
and to the Treasury Department  
Clearance Officer, Department of the  
Treasury, Room 11000, 1750  
Pennsylvania Avenue, NW.,  
Washington, DC 20220.

**DATES:** Written comments should be  
received on or before October 24, 2005  
to be assured of consideration.

#### **Internal Revenue Service (IRS)**

*OMB Number:* 1545-0619.

*Type of Review:* Revision.

*Title:* Credit for Increasing Research  
Activities.

*Form:* IRS form 6765.

*Description:* IRC section 38 allows for  
credit against income tax (Determined  
under IRC section 41) for an increase in  
research activities in a trade or business.

Form 6765 is used by businesses and  
individuals engaged in a trade or  
business to figure and report credit. The  
data is used to verify that the credit  
claimed is correct.

*Respondents:* Business or other-for-  
profit.

*Estimated Total Burden Hours:*  
455,233 hours.

*OMB Number:* 15451257.

*Type of Review:* Extension.

*Title:* Credit for Prior Year Minimum  
Tax—Corporation.

*Form:* IRS form 8827.

*Description:* Section 53(d), as revised,  
allows corporation a minimum tax  
credit based on the full amount of  
alternative minimum tax incurred in tax  
years beginning after 1989, or a carry  
forward for use in a future year.

*Respondents:* Business or other for  
profit.

*Estimated Total Burden Hours:* 25,000  
hours.

*OMB Number:* 1545-1653.

*Type of Review:* Extension.

*Title:* Revenue Procedure 99-26  
Secured Employee Benefits Settlement  
Initiative.

*Description:* This revenue procedure  
provides taxpayers options to settle  
cases in which they accelerated  
deductions for accrued employee  
benefits secured by a letter of credit,  
bond, or other similar financial  
instrument.

*Respondents:* Business or other for-  
profit.

*Estimated Total Burden Hours:* 2,000  
hours.

*Clearance Officer:* Glenn P. Kirkland,  
(202) 622-3428, Internal Revenue  
Service, Room 6516, 1111 Constitution  
Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Alexander T. Hunt,  
(202) 395-7316, Office of Management  
and Budget, Room 10235, New  
Executive Office Building, Washington,  
DC 20503.

**Michael A. Robinson,**

*Treasury PRA Clearance Officer.*

[FR Doc. 05-19043 Filed 9-22-05; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF THE TREASURY

### **Senior Executive Service; Departmental Offices; FY 2005 Performance/Bonus Review Board**

**AGENCY:** Treasury Department.

**ACTION:** Notice of membership of the  
Departmental Offices Performance/  
Bonus Review Board.

**EFFECTIVE DATE:** Membership is effective  
on the date of this notice.