

allows. You may contact the individual under the **FOR FURTHER INFORMATION CONTACT** heading for additional instructions if you want to file a written statement.

Issued in Washington, DC, on December 16, 2004.

**Brenda Courtney,**

*Acting Director, Office of Rulemaking.*

[FR Doc. 04-28007 Filed 12-21-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34614]<sup>1</sup>

#### **Permian Basin Railways, Inc.— Acquisition of Control Exemption— Arizona Eastern Railway Company, Inc.**

Permian Basin Railways, Inc. (Permian),<sup>2</sup> a noncarrier and short line railroad holding company, has filed a verified notice of exemption to acquire control through purchase of 100% of the outstanding stock of Arizona Eastern Railway Company, Inc. (AERC),<sup>3</sup> a Class III short line railroad.

The transaction was scheduled to be consummated on or about December 1, 2004.

Permian states that: (i) The railroads do not connect; (ii) the transaction is not part of a series of anticipated transactions that would connect these railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory 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 impose labor protective conditions here,

because all of the carriers involved are Class III rail 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 stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34614, 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: John D. Heffner, 1920 N Street, NW., Suite 800, Washington, DC 20036.

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

Decided: December 13, 2004.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 04-27860 Filed 12-21-04; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34613]<sup>1</sup>

#### **Permian Basin Railways, Inc.— Acquisition of Control Exemption— West Texas and Lubbock Railroad Company, Inc.**

Permian Basin Railways, Inc. (Permian),<sup>2</sup> a noncarrier and short line railroad holding company, has filed a verified notice of exemption to acquire control through purchase of 100% of the outstanding stock of West Texas and Lubbock Railroad Company, Inc. (WTLRR),<sup>3</sup> a nonoperating<sup>4</sup> Class III short line railroad.

The transaction was scheduled to be consummated on or about December 1, 2004.

Permian states that: (i) The railroads do not connect; (ii) the transaction is not part of a series of anticipated transactions that would connect these

railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory 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 impose labor protective conditions here, because all of the carriers involved are Class III rail 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 stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34613, 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: John D. Heffner, 1920 N Street, NW., Suite 800, Washington, DC 20036.

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

Decided: December 13, 2004.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 04-27976 Filed 12-21-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Bureau of Transportation Statistics

#### **Reports, Forms and Recordkeeping Requirements; Activity Under OMB Review; Airline Service Quality Performance**

**AGENCY:** Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for extension of currently approved collections. The ICR describes the

<sup>1</sup> Simultaneously with this filing, in STB Finance Docket No. 34613, Permian filed a verified notice of exemption to acquire control of West Texas and Lubbock Railroad Company, Inc., a Class III short line railroad.

<sup>2</sup> Permian owns the stock of two Class III short line railroads, West Texas and Lubbock Railway Company, Inc. and the Austin & Northwestern Railway Company, Inc., d/b/a Texas New Mexican Railroad.

<sup>3</sup> AERC is currently owned by Kyle Railways, Inc., a wholly-owned subsidiary of RailAmerica Transportation Corp., a short line railroad holding company.

<sup>1</sup> Simultaneously with this filing, in STB Finance Docket No. 34614, Permian filed a verified notice of exemption to acquire control of Arizona Eastern Railway Company, Inc., a Class III short line railroad.

<sup>2</sup> Permian owns the stock of two Class III short line railroads, West Texas and Lubbock Railway Company, Inc. (WTLR) and the Austin & Northwestern Railway Company, Inc., d/b/a Texas New Mexican Railroad.

<sup>3</sup> WTLRR is currently owned by RailAmerica Transportation Corp., a short line railroad holding company.

<sup>4</sup> WTLRR leases its tracks and facilities to WTLR.