

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Docket No. AB-279 (Sub-No. 5X)]****Canadian National Railway Co.—  
Discontinuance of Trackage Rights  
Exemption—in Erie County, NY**

The Canadian National Railway Company (CN) has filed a verified notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service and Trackage Rights* to discontinue trackage rights over a 5.3-mile portion of trackage owned by New York Central Lines, LLC (NYC) and operated by CSX Transportation, Inc., in Buffalo, Erie County, NY. The line is described as the following segments: (a) NYC's Chicago Line between CP-2 and CP-5 (milepost 5.4+/-), near the south end of NYC's Seneca Yard; (b) NYC's Compromise Branch between CP-437 and CP-2; and (c) NYC's Bailey Avenue Branch between CP-T and CP-437. The line traverses United States Postal Service Zip Codes 14206, 14207, 14210, 14211, 14212, 14214, 14216, 14218, and 14220.

CN has certified that: (1) No local traffic has been handled to or from any customer for at least 2 years; (2) any overhead traffic routed over the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1152.50(d)(1) (notice to governmental agencies), and 49 CFR 1105.12 (newspaper publication) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on July 9, 2003, unless stayed pending reconsideration. Petitions to stay<sup>1</sup> and

<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,

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> must be filed by June 19, 2003. Petitions to reopen must be filed by June 30, 2003, 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 CN's representative: Michael J. Barron, Jr., Canadian National, 455 North Cityfront Plaza Drive, Chicago, IL 60611-5317. If the verified notice contains false or misleading information, the exemption is void *ab initio*.

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

Decided: May 30, 2003.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 03-14202 Filed 6-6-03; 8:45 am]

**BILLING CODE 4915-00-P**

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Docket No. AB-55 (Sub-No. 637X)]****CSX Transportation, Inc.—  
Discontinuance of Service  
Exemption—in Grant County, WV**

CSX Transportation, Inc. (CSXT) has filed a verified notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over an approximately 5.3-mile line of railroad, extending between milepost BAH 63.7 at Sincel and the end of the track at milepost BAH 69.0 near Henry, in Grant County, WV. The line traverses United States Postal Service Zip Code 26720.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7

no environmental or historical documentation is required here under 49 CFR 1105.6(c), and 1105.8(b), respectively.

<sup>2</sup> Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

(environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on July 10, 2003,<sup>1</sup> unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> must be filed by June 20, 2003. Petitions to reopen must be filed by June 30, 2003, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicant's representative: Natalie S. Rosenberg, Counsel, CSX Transportation, Inc., 500 Water Street J150, Jacksonville, FL 32202.

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

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

Decided: May 29, 2003.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 03-14203 Filed 6-6-03; 8:45 am]

**BILLING CODE 4915-00-P**

**DEPARTMENT OF THE TREASURY****Submission for OMB Review;  
Comment Request**

May 29, 2003.

The Department of the Treasury has submitted the following public

<sup>1</sup> Because this is a discontinuance of service proceeding and not an abandonment, there is no need to provide an opportunity for trail use/rail banking or public use condition requests. Likewise, no environmental or historic documentation is required under 49 CFR 1105.6(c)(6) and 1105.8. Nevertheless, CSXT filed environmental and historic reports with its notice.

<sup>2</sup> Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

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 July 9, 2003, to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-0025.

*Form Number:* IRS Form 851.

*Type of Review:* Extension.

*Title:* Affiliations Schedule.

*Description:* Form 851 is filed by the parent corporation for itself and the affiliated corporations in the affiliated group of corporations that files a consolidated return (Form 1120). Form 851 is attached to the 1120. This information is used to identify the members of the affiliated group, the tax paid by each, and to determine that each corporation qualifies as a member of the affiliated group as defined in section 1504.

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

*Estimated Number of Respondents/Recordkeepers:* 4,000.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—11 hr., 28 min.

Learning about the law or the form—1 hr., 12 min.

Preparing and sending the form to the IRS—1 hr., 25 min.

*Frequency of Response:* Annually.

*Estimated Total Reporting/Recordkeeping Burden:* 56,400 hours.

*OMB Number:* 1545-0239.

*Form Number:* IRS Form 5754.

*Type of Review:* Extension.

*Title:* Statement by Person(s) Receiving Gambling Winnings.

*Description:* Section 3402(q)(6) of the Internal Revenue Code (IRC) requires a statement by the person receiving certain gambling winnings when that person is not the winner or is one of a group of winners. It enables the payer to properly apportion the winnings and withheld tax on Form W-2G. We use the information on Form W-2G to ensure that recipients are properly reporting their income.

*Respondents:* Business or other for-profit, Individuals or households, Not-for-profit institutions.

*Estimated Number of Respondents:* 306,000.

*Estimated Burden Hours Per*

*Respondent:* 12 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden:* 61,200 hours.

*OMB Number:* 1545-1021.

*Form Number:* IRS Form 8594.

*Type of Review:* Extension.

*Title:* Asset Acquisition Statement.

*Description:* Form 8594 is used by the buyer and seller of assets to which goodwill or going concern value can attach to report the allocation of the purchase price among the transferred assets.

*Respondents:* Business or other for-profit, Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 20,000.

*Estimated Burden Hours Per*

*Respondent/Recordkeeper:*

Recordkeeping—11 hr.

Learning about the law or the form—2 hr., 34 min.

Preparing and sending the form to the IRS—2 hr., 52 min.

*Frequency of Response:* On occasion.

*Estimated Total Reporting/Recordkeeping Burden:* 329,200 hours.

*OMB Number:* 1545-1060.

*Form Number:* IRS Form 8288-B.

*Type of Review:* Revision.

*Title:* Application for Withholding Certificate for Dispositions by Foreign Persons of U.S. Real Property Interests.

*Description:* Form 8288-B is used to apply for a withholding certificate from IRS to reduce or eliminate the withholding required by section 1445.

*Respondents:* Business or other for-profit, Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 5,079.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—2 hr., 4 min.

Learning about the law or the form—2 hr., 7 min.

Preparing the form—1 hr., 7 min.

Copying, assembling, and sending the form to the IRS—20 min.

*Frequency of Response:* On occasion.

*Estimated Total Reporting/Recordkeeping Burden:* 28,798 hours.

*OMB Number:* 1545-1825.

*Form Number:* IRS Form 13388.

*Type of Review:* Extension.

*Title:* Improving the Accuracy of EITC Prepared Returns.

*Description:* This postcard will be sent to tax preparers that submitted a mixture of paper and electronic returns for their clients. The postcard provides these professionals an opportunity to acquire additional information about the

Earned Income Tax Credit (EITC). It is part of a brochure to encourage 100% filing of EITC returns.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents:* 3,000.

*Estimated Burden Hours Per*

*Respondent:* 3 minutes.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden:* 150 hours.

*Clearance Officer:* Glenn Kirkland, Internal Revenue Service, Room 6411-03, 1111 Constitution Avenue, NW., Washington, DC 20224, (202) 622-3428.

*OMB Reviewer:* Joseph F. Lackey, Jr., Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503, (202) 395-7316.

**Mary A. Able,**

*Departmental Reports Management Officer.*

[FR Doc. 03-14359 Filed 6-6-03; 8:45 am]

**BILLING CODE 4830-01-P**

#### DEPARTMENT OF THE TREASURY

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

May 28, 2003.

The Department of 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 July 9, 2003, to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1545.

*Regulation Project Number:* REG-107644-97 Final.

*Type of Review:* Extension.

*Title:* Permitted Elimination of Pre-retirement Optional Forms of Benefit.

*Description:* The regulation permits an amendment to a qualified plan that eliminates certain pre-retirement optional forms of benefit.

*Respondents:* Business or other for-profit, Not-for-profit institutions.

*Estimated Number of Recordkeepers:* 135,000.