

available after the comment closing date. Interested persons should continue to examine the docket for new material.

Issued on: March 14, 2005.

Annette M. Sandberg,  
Administrator.

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2004-18961]

#### Union Pacific Railroad Company; Notice of Public Hearing and Extension of Comment Period

The Union Pacific Railroad Company has petitioned the Federal Railroad Administration (FRA) seeking approval of the proposed discontinuance and removal of the traffic control system (TCS), on Track No. 1 between Control Point River, milepost 247.4, and Control Point Ft. Worth, milepost 250.0, on the Dallas Subdivision, Dallas/Ft. Worth area, near Ft. Worth, Texas. The proposed changes include removal of CP University Avenue, milepost 248.01, and conversion of the existing dispatcher controlled, power-operated switch to a radio-controlled, power-operated switch, operated by the Remote Control Locomotive (RCL) Operator. The proposed changes are in conjunction with the installation of a new TCS track between CP West Ft. Worth and CP River. This block signal application proceeding is identified as Docket No. FRA-2004-18961.

FRA has issued a public notice seeking comments of interested parties and has conducted its own field investigation in this matter. After examining the carrier's proposal, letters of protest, and the field report, FRA has determined that a public hearing is necessary before a final decision is made on this proposal. FRA is also extending the comment period to one week beyond the date of the public hearing. If information received at the public hearing warrants the need to extend the comment period further, a separate notice will be published indicating such extension.

Accordingly, a public hearing is hereby set for 9 a.m. on Wednesday, April 20, 2005, in Room 120 of the Texas-New Mexico Power Building, Tower II, 4100 International Plaza, Ft. Worth, Texas 76109. Interested parties are invited to present oral statements at the hearing. The hearing will be an informal one and will be conducted in accordance with Rule 25 of the FRA

Rules of Practice (49 CFR 211.25), by a representative designated by the FRA. The hearing will be a non adversary proceeding and, therefore, there will be no cross-examination of persons presenting statements. The FRA representative will make an opening statement outlining the scope of the hearing. After all initial statements have been completed, those persons wishing to make brief rebuttal statements will be given the opportunity to do so in the same order in which they made their initial statements. Additional procedures, if necessary for the conduct of the hearing, will be announced at the hearing.

In addition, FRA is extending the comment period to April 28, 2005. All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2004-18961) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW., Washington, DC 20590. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://dms.dot.gov>.

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78). The Statement may also be found at <http://dms.dot.gov>.

Issued in Washington, DC on March 15, 2005.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety,  
Standards and Program Development.

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-170 (Sub-No. 2X); STB Docket No. AB-398 (Sub-No. 10X)]

#### Sunset Railway Company— Abandonment Exemption—in Kern County, CA; San Joaquin Valley Railroad Company—Discontinuance Exemption—in Kern County, CA

Sunset Railway Company (SRY) and San Joaquin Valley Railroad Company (SJVR) (collectively, petitioners) have jointly filed a notice of exemption under 49 CFR part 1152, subpart F—*Exempt Abandonments and Discontinuances of Service* for SRY to abandon, and SJVR to discontinue service over, a 0.20-mile line of railroad, known as the Sunset Subdivision near Levee, between milepost 19.80 and milepost 20.00, in Kern County, CA. The line traverses United States Postal Service Zip Code 93268.

SRY and SJVR have certified that: (1) No local traffic has moved over the line for at least 2 years; (2) no overhead traffic has moved over the line for at least 2 years and any overhead traffic on 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 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 (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 the governmental agencies) have been met.

As a condition to these exemptions, any employee adversely affected by the abandonment or discontinuance 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, these exemptions will be effective on April 20, 2005, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal

<sup>1</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