

of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before May 20, 1996.

**ADDRESSES:** Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. \_\_\_\_\_, 800 Independence Avenue, SW., Washington, DC 20591.

Comments may also be sent electronically to the following internet address:

nprmcmts@mail.hq.faa.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

**FOR FURTHER INFORMATION CONTACT:**

Mr. D. Michael Smith, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7470.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, DC, on April 25, 1996.

Donald P. Byrne,

*Assistant Chief Counsel for Regulations.*

**Petitions for Exemption**

*Docket No.:* 28544.

*Petitioner:* Learjet, Inc.

*Sections of the FAR Affected:* 14 CFR 25.783(h).

*Description of Relief Sought:* To permit exemption, for Lear Model 45, from the minimum emergency exit requirements of § 25.783(h) for the passenger entry door, to allow an oversized Type III hatch in lieu of the required Type II floor-level exit.

*Docket No.:* 28551.

*Petitioner:* Dassault Aviation.

*Sections of the FAR Affected:* 14 CFR 25.571(e)(1).

*Description of Relief Sought:* To permit exemption, for the Mystere-Falcon 900EX, from the bird speed requirements of § 25.571(e)(1) to allow compliance with the requirement using bird impact velocity of V<sub>c</sub> at sea level or 0.85 V<sub>c</sub> at 8,000 feet, whichever is more critical.

[FR Doc. 96-10670 Filed 4-29-96; 8:45 am]

**BILLING CODE 4910-13-M**

**Surface Transportation Board<sup>1</sup>**

**[STB Finance Docket No. 32893]**

**The Indiana & Ohio Rail Passenger Corporation—Acquisition by Trackage Rights and Operation Exemption—Cincinnati Terminal Railway Corp., Indiana and Ohio Railroad Company, Indiana & Ohio Railway Company, Inc., and Indiana & Ohio Central Railroad Company, Inc.**

The Indiana & Ohio Rail Passenger Corporation (IORP), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire, and operate over, trackage rights from the Cincinnati Terminal Railway Corp., the Indiana and Ohio Railroad Company, the Indiana & Ohio Railway Company, Inc., and the Indiana & Ohio Central Railroad Company, Inc. The trackage over which IORP's operations will be conducted are: (1) With Cincinnati Terminal Railway Corp., from MP 0.4 in Cincinnati, OH, to MP 16.4 at Evendale, OH, for a total of 16 miles; (2) with Indiana and Ohio Railroad Company, from MP 17.75 at Valley Junction, OH, to MP 43.90 at Brookville, IN, for a total of approximately 26.2 miles; (3) with Indiana & Ohio Railway Company, Inc., from (a) MP 5.9 near Monroe, OH, to MP 12.0 near Hageman, OH, (b) MP 31.1 near Hageman, OH, to MP 36.9 at South Mason, OH, (c) MP 27.7 at Lebanon, OH, to MP 31.1 near Hageman, OH, and (d) MP 39.76 at Brecon, OH, to MP 50.5 at Norwood, OH, for a total of approximately 26 miles; and (4) with Indiana & Ohio Central Railroad Company, Inc., from (a) MP 44.96 at Midland City, OH, to MP 74.45 near Thrifton, OH, (b) MP 9.1 near Columbus, OH, to MP 52.56 near Logan, OH, (c) MP 202.7 at Springfield, OH, to MP 228.83 at Fayne, OH, (d) MP 129.4 near Bell, OH, to MP 130.1 near Springfield, OH, (e) MP 0.0 near Bell, OH, to MP 17.2, near Mechanicsburg, OH, and (f) MP 98.8 at Bellfontaine, OH, to MP 129.4 at Bell, OH, for a total of approximately 147.6 miles.

The purpose of the transaction is to provide rail passenger service in the States of Indiana and Ohio.

The parties intended to consummate the proposed transaction on or after April 12, 1996.

This proceeding is related to *The Indiana & Ohio Rail Passenger*

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

*Corporation—Trackage Rights Exemption—Cincinnati Terminal Railway Corp., Indiana and Ohio Railroad Company, Indiana & Ohio Railway Company, Inc., and Indiana & Ohio Central Railroad Company, Inc.,* STB Finance Docket No. 32894, wherein IORP has concurrently filed a notice of exemption for trackage rights.<sup>2</sup>

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32893, must be filed with the Office of the Secretary, Surface Transportation Board, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Robert L. Calhoun, Sullivan & Worcester, LLP, 1025 Connecticut Avenue, NW., Suite 1000, Washington, DC 20036.

Decided: April 23, 1996.

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

Vernon A. Williams,

*Secretary.*

[FR Doc. 96-10639 Filed 4-29-96; 8:45 am]

**BILLING CODE 4915-00-P**

**[STB Finance Docket No. 32894]**

**The Indiana & Ohio Rail Passenger Corporation—Trackage Rights Exemption—Cincinnati Terminal Railway Corp., Indiana and Ohio Railroad Company, Indiana & Ohio Railway Company, Inc., and Indiana & Ohio Central Railroad Company, Inc.**

The Indiana & Ohio Rail Passenger Corporation (IORP) has filed a verified

<sup>2</sup> IORP has concurrently filed a notice of exemption in STB Finance Docket No. 32894 under 49 CFR 1180.2(d)(7) to acquire trackage rights as a rail carrier. Because acquisition of trackage rights by a noncarrier, which would become a Class III carrier after completion of the transaction, appears to be covered by the exemption procedures under section 1150.31, the notice of exemption filed in STB Finance Docket No. 32894 might be unnecessary unless one or more of the trackage rights transactions will occur after another of the transactions, in which case IORP will have already become a carrier and thus require exemption under section 1180.2(d)(7).

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 11323.

notice under 49 CFR 1180.2(d)(7) and has entered into agreements for local and overhead trackage rights with Cincinnati Terminal Railway Corp., the Indiana and Ohio Railroad Company, the Indiana & Ohio Railway Company, Inc., and the Indiana & Ohio Central Railroad Company, Inc. The trackage over which IORP's operations will be conducted are: (1) with Cincinnati Terminal Railway Corp., from MP 0.4 in Cincinnati, OH, to MP 16.4 at Evendale, OH, for a total of 16 miles; (2) with Indiana and Ohio Railroad Company, from MP 17.75 at Valley Junction, OH, to MP 43.90 at Brookville, IN, for a total of approximately 26.2 miles; (3) with Indiana & Ohio Railway Company, Inc., from (a) MP 5.9 near Monroe, OH, to MP 12.0 near Hageman, OH, (b) MP 31.1 near Hageman, OH, to MP 36.9 at South Mason, OH, (c) MP 27.7 at Lebanon, OH, to MP 31.1 near Hageman, OH, and (d) MP 39.76 at Brecon, OH, to MP 50.5 at Norwood, OH, for a total of approximately 26 miles; and (4) with Indiana & Ohio Central Railroad Company, Inc., from (a) MP 44.96 at Midland City, OH, to MP 74.45 near Thrifton, OH, (b) MP 9.1 near Columbus, OH, to MP 52.56 near Logan, OH, (c) MP 202.7 at Springfield, OH, to MP 228.83 at Fayne, OH, (d) MP 129.4 near Bell, OH, to MP 130.1 near Springfield, OH, (e) MP 0.0 near Bell, OH, to MP 17.2, near Mechanicsburg, OH, and (f) MP 98.8 at Bellfontaine, OH, to MP 129.4 at Bell, OH, for a total of approximately 147.6 miles.

The purpose of the transaction is to provide rail passenger service via trackage rights in the States of Indiana and Ohio.

The transaction was expected to be consummated on or about April 12, 1996.

This proceeding is related to *The Indiana & Ohio Rail Passenger Corporation—Operation Exemption—Cincinnati Terminal Railway Corp., Indiana and Ohio Railroad Company, Indiana & Ohio Railway Company, Inc., and Indiana & Ohio Central Railroad Company, Inc.*, STB Finance Docket No. 32893, wherein IORP has concurrently filed a notice of exemption to operate via the acquired trackage rights.<sup>2</sup>

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. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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. 32894, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423. In addition, a copy of each pleading must be served on: Robert L. Calhoun, Sullivan & Worcester, LLP, Suite 1000, 1025 Connecticut Avenue, N.W., Washington, DC 20036.

Decided: April 23, 1996.

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

Vernon A. Williams,

Secretary.

[FR Doc. 96-10640 Filed 4-29-96; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 940-EZ

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 940-EZ, Employer's Annual Federal Unemployment (FUTA) Tax Return.

**DATES:** Written comments should be received on or before July 1, 1996 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue

Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form(s) and instructions should be directed to Martha R. Brinson, (202) 622-3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

#### SUPPLEMENTARY INFORMATION:

**Title:** Employer's Annual Federal Unemployment (FUTA) Tax Return.

**OMB Number:** 1545-1110.

**Form Number:** Form 940-EZ.

**Abstract:** Form 940-EZ is a simplified version of Form 940 that most employers with uncomplicated tax situations (e.g., only pay unemployment contributions to one state and paying them on time) can use to pay their FUTA tax. Most small businesses and household employers use the form.

**Current Actions:** There are no changes being made to the form at this time.

**Type of Review:** Extension of a currently approved collection.

**Affected Public:** Individuals or households, Business or other for-profit and Farms.

**Estimated Number of Respondents:** 4,089,000.

**Estimated Time per Respondent:** 6 hr. 34 min.

**Estimated Total Annual Burden Hours:** 26,882,133.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Approved: April 23, 1996.

Garrick R. Shear,

IRS Reports Clearance Officer.

[FR Doc. 96-10666 Filed 4-29-96; 8:45 am]

BILLING CODE 4830-01-P

<sup>2</sup> Because the related filing in STB Finance Docket No. 32893 for an exemption from 10901 under 49 CFR 1150.31, includes acquisition of trackage rights by noncarriers, a separate notice of exemption for trackage rights in STB Finance Docket No. 32894 might be unnecessary unless one or more of the trackage rights transactions will occur after another of the transactions, in which case IORP will have already become a carrier and thus require exemption under section 1180.2(d)(7).