

Background: Public comment is requested regarding the burden associated with collection of information. The data for the Highway Performance Monitoring System (HPMS) are collected under authority of 23 U.S.C. 307, which places the responsibility on the Secretary of Transportation for management decisions which affect transportation. 23 CFR 1.5 provides the Federal Highway Administrator with authority to request information to administer the Federal-Aid Highway Program. Estimates of future highway needs of the Nation are mandated by Congress on a biennial basis [23 U.S.C. 307(e)]. Additionally, HPMS data serve as the information source for the "Highway Safety Performance" report prepared by the Federal Highway Administration (FHWA) pursuant to Section 207 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424). The HPMS data collected are essential to FHWA and Congress in evaluating effectiveness of the Federal-aid highway programs, providing mileage components of apportionment formulae, and evaluating highway safety programs. The information is used by FHWA to develop and implement legislation and by State and Federal transportation officials to adequately plan, design, and administer effective, safe, and efficient transportation systems.

Interested parties are invited to send comments regarding any aspect of these information collections, including, but not limited to: (1) Ways to enhance the quality, utility, and clarity of the collected information; (2) the accuracy of the estimated burden; and (3) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB extension of this information collection.

Respondents: 50 States, DC, Commonwealth of Puerto Rico, plus four territories (American Samoa, Guam, Northern Marianas, and Virgin Islands).

Estimated Total Annual Burden: The estimated burden hours for this information collection is 119,680 hours.

Frequency: The data is collected by the respondents and submitted to FHWA annually.

Authority: 23 U.S.C. 315; 49 CFR 1.48. 44 U.S.C. 3506(c)(2)(A).

Issued on: August 21, 1996.

Diana Zeidel,

Deputy Associate Administrator for Administration.

[FR Doc. 96-21929 Filed 8-29-96; 8:45 am]

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[FHWA Docket No. 96-31]

Notice of Request for Extension of Currently Approved Information Collection; A Guide To Reporting Highway Statistics

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, this notice announces the intention of the FHWA to request the Office of Management and Budget (OMB) to extend the information collection for FHWA's A Guide to Reporting Highway Statistics.

DATES: Comments must be submitted on or before October 29, 1996.

ADDRESSES: All signed, written comments should refer to the docket number that appears at the top of this document and must be submitted to HCC-10, room 4232, Office of the Chief Counsel, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. All comments received will be available for examination at the above address from 8:30 a.m. to 3:30 p.m. e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard/envelope.

FOR FURTHER INFORMATION CONTACT: Mr. Tom Howard, 400 7th Street, SW, (202) 366-2833, Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: A Guide to Reporting Highway Statistics.

OMB No.: 2125-0032.

Background: Public comment is requested regarding the burden associated with this collection of information. The authority to collect this information is contained in the Department of Transportation (DOT) Act of 1966 (P.L. 89-670; 49 U.S.C. 301 (4), which charges the Secretary of Transportation to promote and undertake development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international transportation. Title 23, United States Code, Section 307(a) authorizes the DOT to engage in studies to collect data concerning highway development financing, modernization, safety, maintenance, and traffic conditions and to publish the results of such research.

Title 23, United States Code, Section 307(e) requires the Secretary of Transportation to report biennially to Congress on the Nation's highway needs. The Commercial Motor Vehicle Safety Act of 1986 established a major Federal interest in the States' driver licensing programs. The driver license data collected under this Guide are critical in evaluating the effects of the regulations mandated by the Act. The Act also established a three-part grant program to aid the States in the development and implementation of licensing procedures for commercial drivers and requires that the "supplemental" grant funds be distributed among the States according to the number of commercial driver tests administered and the number of commercial licenses issued. The various forms included in the Guide are designed to provide for the reporting of statistics that show motor-fuel usage, motor-vehicle registrations and use, drivers, and the taxes and fees paid and collected from these sources and the purposes for which these funds are expended. The Guide provides for the collection of information that describes policies and procedures for assembling statistical data from the existing files of State agencies on motor-vehicle registration and fees, motor-fuel use and taxation, driver licensing, highway taxation and finance, and other related subjects, and the reporting of these data to the Federal highway Administration.

Interested parties are invited to send comments regarding any aspect of this information collection, including, but not limited to: (1) The necessity and utility of the information collection for the proper performance of the functions of the FHWA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

Respondents: The overall annual reporting burden is shared by the 50 States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Northern Marianas and the Virgin Islands.

Estimated Total Annual Burden: The annual reporting burden is estimated to be 38,738 hours.

Frequency: The respondents are required to report on an annual basis.

Authority: Title 23, U.S. Code, Section 307(e); 23 U.S.C. 315, 49 CFR 1.48.

Issued on: August 21, 1996.

Diana Zeidel,

Deputy Associate Administrator for Administration.

[FR Doc. 96-21930 Filed 8-29-96; 8:45 am]

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Surface Transportation Board¹

[STB Finance Docket No. 33009]

Richard D. Robey—Continuance in Control Exemption—Juniata Valley Railroad Company

Richard D. Robey (Robey), a noncarrier individual, has filed a notice of exemption to continue in control of Juniata Valley Railroad Company (Juniata), upon Juniata's becoming a Class III rail carrier. Consummation was expected to occur on or after August 15, 1996.

Juniata, a noncarrier, has concurrently filed a joint notice of exemption in *SEDA-COG Joint Rail Authority and Juniata Valley Railroad Company—Acquisition and Operation Exemption—Consolidated Rail Corporation*, STB Finance Docket No. 33008, to operate approximately 12.3² miles of rail line acquired by SEDA-COG Joint Rail Authority from Consolidated Rail Corporation known as the Lewistown Cluster in Mifflin County, PA.

Robey controls seven other nonconnecting Class III rail carriers:³ North Shore Railroad Company; Nittany & Bald Eagle Railroad Company; Shamokin Valley Railroad Company; West Shore Railway Services, Inc.; Stourbridge Railroad Company, Inc.; Wellsboro and Corning Railroad Company; and Union County Industrial Railroad Company.

Robey states that: (1) Juniata will not connect with any of the other railroads in its corporate family; (2) the continuance in control is not part of a series of anticipated transactions that would connect Juniata with any other railroad in its corporate family; and (3)

the transaction does not involve a Class I railroad. The transaction therefore 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 railroad carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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. 33009, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423 and served on: Richard R. Wilson, Vuono & Gray, 2310 Grant Building, Pittsburgh, PA 15219.

Decided: August 22, 1996.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 96-22205 Filed 8-29-96; 8:45 am]

BILLING CODE 4915-00-P

[Docket Nos. 41242 et al.]

Central Power & Light Company v. Southern Pacific Transportation Company

AGENCY: Surface Transportation Board, Transportation.

ACTION: Request for comments.

SUMMARY: The Board is seeking comments on certain common legal and policy issues raised by these cases which have industry-wide significance for rail carriers and their captive shippers. The immediate issue in these

cases is whether a captive shipper can obtain prescription of a rate for the "bottleneck" segment of its rail shipments (the portion of the movement for which no alternative transportation route is possible), based upon a challenge to the reasonableness of a local rate that has generally not been applied to its traffic. The broader issues involved are whether and how a captive shipper can obtain a competitive route for the non-bottleneck portion of its moves and whether a rate reasonableness analysis can be limited to the bottleneck segment, relying on competition to constrain the rates charged on the segment of a move that is subject to competition.

The Board is soliciting comments and briefing on these issues from all interested persons and will hold an oral argument. The oral argument will be limited to the generic issues addressed in the Board's decision and will not address other issues specific to an individual case.

DATES: Comments are due by September 30, 1996.

ADDRESSES: Send an original and 10 copies of submissions, referring to Nos. 41242 et al. to: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

One copy of each submission should be sent to counsel for each party of record in each of the cases.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

Additional details, including a fuller description of the issues, appear in the Board's full decision. To purchase a copy of the full decision, write to, call, or pick up in person from DC News & Data, Inc., Room 2229, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721.]

Decided: August 23, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96-22275 Filed 8-29-96; 8:45 am]

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¹ 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. 11323-24.

² Counsel has confirmed that the Lewiston Cluster consists of a total of approximately 12.3 miles.

³ Robey has concurrently filed a notice of exemption in *Richard D. Robey—Continuance in Control Exemption—Lycoming Valley Railroad Company*, STB Finance Docket No. 33011.

¹ This notice embraces: No. 41295, *Pennsylvania Power & Light Co. v. Consolidated Rail Corp.*; and No. 41626, *MidAmerican Energy Co. v. Union Pac. R.R. and Chicago and North W. Ry.* A fourth case—No. 41604, *Western Resources, Inc. v. The Atchison, T.&S.F. Ry.*—involves similar issues, but has been stayed pending judicial resolution of certain contract interpretation matters.