

Docket No.: 28173.

Petitioner: Bemidji Aviation Services, Inc.

Sections of the FAR Affected: 14 CFR 135.143(c)(2).

Description of Relief Sought/

Disposition: To permit the petitioner to operate its Beech 99 aircraft without a TSO-C112 (Mode S) transponder installed. This exemption also allows BAS to operate any aircraft for which the installation of a TSO-73b or TSO-C74C ATC transponder is needed.

Grant, June 26, 1998, Exemption No. 6110A.

Docket No.: 29156.

Petitioner: Firelands Museum of Military History.

Sections of the FAR Affected: 14 CFR 91.319, 119.5(g), and 119.25(b).

Description of Relief Sought/

Disposition: To permit the petitioner to operate its former military Huey helicopters, which are certificated in the experimental category, for the purpose of carrying passengers on local flights for compensation of hire, subject to certain conditions and limitations.

Grant, July 1, 1998, Exemption No. 6792.

[FR Doc. 98-18708 Filed 7-13-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent to Rule on Application to Impose and Use the Revenue From a Passenger Facility Charge (PFC) at the Huntsville International Airport, Huntsville, AL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Intent to Rule on Application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at the Huntsville International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). **DATES:** Comments must be received on or before August 13, 1998.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: FAA/Airports District Office, 120 North Hangar Drive, Suite B, Jackson, Mississippi 39208-2306.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Luther H. Roberts, Jr., AAE, Deputy Director of the Huntsville Madison County Airport Authority at the following address: 1000 Glenn Hearn Boulevard, Box 20008, Huntsville, AL 35824.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Huntsville Madison County Airport Authority under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT:

Mr. Roderick T. Nicholson, Airports Area Representative, FAA Airports District Office, 120 North Hangar Drive, Suite B, Jackson, Mississippi 39208-2306, telephone number 601-965-4628. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at the Huntsville International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On July 7, 1998, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Huntsville Madison County Airport Authority was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 8, 1998.

The following is a brief overview of the application.

PFC Application Number: 98-08-C-00-HSV.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: 6/01/1992.

Proposed charge expiration date: 6/30/2010.

Total estimated PFC revenue: \$7,873,192.

Brief description of proposed project(s): Land Acquisition, Snow Removal Equipment; Security/Access Control System Upgrade; Air Cargo Apron Expansion; Rotating Beacon Refurbishment; Airfield Sweeper/Vacuum; Airport Rescue Fire Fighting Building Renovations; General Aviation Apron Expansion and Rehabilitation; Security Vehicle; Pick-Up for Snow Plow Usage; and Communications Center Relocation and Upgrade.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Any Air Taxi/

Commercial Operator (ATCO), Certified Air Carriers (CAC) and Certified Route Air Carriers (CRAC) having fewer than 500 annual enplanements.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Huntsville Madison County Airport Authority.

Issued in Jackson, Mississippi, on July 7, 1998.

Wayne Atkinson,

Manager, Airports District Office, Southern Region, Jackson, Mississippi.

[FR Doc. 98-18707 Filed 7-13-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33628]

Fort Worth and Western Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to grant overhead trackage rights to Fort Worth and Western Railroad Company (FWWR) over BNSF's rail line in Fort Worth, TX, between milepost 2.08 and milepost 4.67, a distance of 2.59 miles.

The transaction was scheduled to be consummated on or soon after July 3, 1998, the effective date of the exemption.

The purpose of the overhead trackage rights is to allow FWWR to directly interchange traffic with Union Pacific Railroad Company (UP) in Peach Yard (milepost 2.08), thereby improving service, financial viability, and operations.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). 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. 33628, must be filed with

the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kevin M. Sheys, Oppenheimer Wolff Donnelly & Bayh LLP, 1350 Eye Street, NW Suite 200, Washington, DC 20005-3324.

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Decided: July 6, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-18726 Filed 7-13-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33579]

Gauley River Railroad, LLC—Purchase, Lease and Operation Exemption—CSX Transportation, Inc.

Gauley River Railroad, LLC (GRIV), a noncarrier, has filed a notice of exemption under 49 CFR 1150.31 to purchase from CSX Transportation, Inc. (CSXT) and operate approximately 30.7 miles of rail line in West Virginia.¹ GRIV will acquire two rail line segments: (1) between milepost BUE-119 (Valuation Station 5035+89.6) near Cowen, WV, and milepost BUE-129 (Valuation Station 5563+89.6) at Allingdale, WV (Line A) and (2) between milepost BUE-12.4 (Valuation Station 1096+48.2) at Muddlety Falls, WV, and milepost BUE-20.7 (Valuation Station 1092+45), including the McMillion Creek Branch, Delmont Branch, and all other connecting spur and sidetracks (Line C). GRIV will also sublease from CSXT a third line segment, which connects or bridges together Line A and Line C, extending from milepost BUE-0.0 (Valuation Station 441+43) at Allingdale, WV, to milepost BUE-12.4 (Valuation Station 649+86.8) at Muddlety Falls, WV (Line B). Line B serves as a connecting stretch of railroad linking together Lines A, B, and C.²

The transaction was expected to be consummated on or shortly after June 25, 1998.

¹ GRIV certifies that its projected revenues will not exceed those that would qualify it as a Class III carrier.

² Line B is currently owned by Strouds Creek and Muddlety Railroad (SC&M). SC&M leases the line to CSXT. According to CSXT's lease agreement with SC&M, CSXT is permitted to enter into the contemplated sublease.

If the verified 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. 33579, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Keith G. O'Brien, Esq., Rea, Cross & Auchincloss, Suite 570, 1707 L Street, NW, Washington, DC 20036.

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Decided: July 6, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-18725 Filed 7-13-98; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33624]

Mississippi & Tennessee RailNet, Inc.—Acquisition and Operation Exemption—The Kansas City Southern Railway Company

Mississippi & Tennessee RailNet, Inc. (MTRN), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 87.1 miles of rail line and approximately 7.53 miles of spur and side tracks from The Kansas City Southern Railway Company between milepost 281.5 at Houston, MS, and milepost 368.6 at Middleton, TN.¹

The transaction was scheduled to be consummated on or shortly after June 26, 1998.

This transaction is related to STB Finance Docket No. 33625, *North American RailNet, Inc.—Continuance in Control Exemption—Mississippi & Tennessee RailNet, Inc.*, wherein North American RailNet, Inc. will continue in control of MTRN upon its becoming a Class III rail carrier.

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

¹ MTRN states that its projected revenues will not exceed those that would qualify it as a Class III rail carrier and its revenues are not projected to exceed \$5 million.

exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33624, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Robert A. Wimbish, Esq., Rea, Cross, & Auchincloss, 1707 L Street, NW, Suite 750, Washington, DC 20036.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: July 6, 1998.

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

Vernon A. Williams,
Secretary.

[FR Doc. 98-18569 Filed 7-13-98; 8:45 am]

BILLING CODE 4915-00-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33625]

North American RailNet, Inc.—Continuance in Control Exemption—Mississippi & Tennessee RailNet, Inc

North American RailNet, Inc. (NARN), has filed a verified notice of exemption to continue in control of Mississippi & Tennessee RailNet, Inc. (MTRN), upon MTRN becoming a Class III railroad.

The transaction was scheduled to be consummated on or shortly after June 26, 1998.

This transaction is related to STB Finance Docket No. 33624, *Mississippi & Tennessee RailNet, Inc.—Acquisition and Operation Exemption—The Kansas City Southern Railway Company*, wherein MTRN seeks to acquire and operate a rail line from The Kansas City Southern Railway Company.

NARN controls three existing Class III railroads; Nebraska, Kansas & Colorado RailNet, Inc., operating in Nebraska, Kansas, and Colorado; Illinois RailNet, Inc., operating in Illinois; and Camas Prairie RailNet, Inc., operating in Mississippi and Tennessee.

NARN states that: (i) The rail lines operated by MTRN do not connect with any railroad in the corporate family; (ii) the transaction is not part of a series of anticipated transactions that would connect MTRN's lines with any railroad in the corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is