

filed in STB Finance Docket No. 34447, *Buffalo & Pittsburgh Railroad, Inc., Allegheny & Eastern Railroad, Inc., Pittsburgh & Shawmut Railroad, Inc. and Bradford Industrial Rail, Inc.—Corporate Family Transaction Exemption*, wherein ALY and other subsidiaries will be merged into BPRR. The instant transaction contemplates that BPRR will retain the operating authority over the line and A&E will have a residual common carrier obligation.

The transaction was expected to be consummated on January 1, 2004.

A&E certifies that its projected revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier. It further certifies that its total annual revenues will not exceed \$5 million.

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. 34448, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 John F. Kennedy Blvd., Philadelphia, PA 19103-2808.

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

Decided: January 15, 2004.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 04-1364 Filed 1-21-04; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34447]

#### **Buffalo & Pittsburgh Railroad, Inc., Allegheny & Eastern Railroad, Inc., Pittsburgh & Shawmut Railroad, Inc., and Bradford Industrial Rail, Inc.—Corporate Family Transaction Exemption**

Buffalo & Pittsburgh Railroad, Inc. (BPRR), Allegheny & Eastern Railroad, Inc. (ALY), Pittsburgh & Shawmut Railroad, Inc. (PSRR), and Bradford Industrial Rail, Inc. (BIR) (collectively,

applicants),<sup>1</sup> have filed a verified notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(3) to merge ALY, PSRR and BIR into BPRR, with BPRR as the surviving entity.

The transaction was expected to be consummated on January 1, 2004.

This transaction is related to STB Finance Docket No. 34448, *Allegheny & Eastern Railroad, LLC—Acquisition Exemption—Buffalo & Pittsburgh Railroad, Inc.*, and STB Finance Docket No. 34449, *Pittsburgh & Shawmut Railroad, LLC—Acquisition Exemption—Buffalo & Pittsburgh Railroad, Inc.*, wherein certain physical assets comprising the rail lines formerly operated by ALY and PSRR will be transferred to two newly formed wholly owned subsidiaries of BPRR. The operating authority of ALY and PSRR (along with that of BIR) will remain with BPRR.

Applicants state that the transaction will not result in adverse changes in service levels, significant operational changes, or any change in the competitive balance with carriers outside the GWI corporate family. The merger will simplify GWI's corporate structure, streamline accounting, finance and management functions and facilitate improvements in operating efficiency for GWI's rail operations in western Pennsylvania and New York.

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. Because the transaction involves one Class II rail carrier and one or more Class III rail carriers, the transaction will be made subject to the employee protective conditions described in 49 U.S.C. 11326(b).

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. 34447, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 John

<sup>1</sup> BPRR is a Class II carrier operating in western New York and western Pennsylvania. ALY, PSRR and BIR are all Class III carriers that operate in the same region of Pennsylvania. All of the involved corporations are wholly owned subsidiaries of Genessee & Wyoming, Inc. (GWI).

F. Kennedy Blvd., Philadelphia, PA 19103-2808.

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

Decided: January 15, 2004.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 04-1363 Filed 1-21-04; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34449]

#### **Pittsburgh & Shawmut Railroad, LLC—Acquisition Exemption—Buffalo & Pittsburgh Railroad, Inc.**

Pittsburgh & Shawmut Railroad, LLC (P&S), a newly formed noncarrier and wholly owned subsidiary of Buffalo & Pittsburgh Railroad, Inc. (BPRR), has filed a notice of exemption under 49 CFR 1150.31 to acquire from BPRR the physical assets that comprise approximately 189.47 miles of rail line formerly operated by Pittsburgh & Shawmut Railroad, Inc. (PSRR), between: (a) Brockway Yard, Brockway (milepost 0.0) and Freeport (milepost 88.027) (except for an abandoned segment between milepost 2.0 and milepost 19.0); (b) milepost 0.98 on the main line at Snyder Township (a/k/a milepost 0.0) and milepost 0.37; (c) Brookville Yard (milepost 20.89) and the connection with Mountain Laurel (milepost 0.30); (d) milepost 69.86 on the main line in East Franklin (a/k/a milepost 0.0) and milepost 1.28; (e) Lawsonham (milepost 6.0) and Driftwood (milepost 110.0); (f) Lawsonham (milepost 0.0) and Sligo (milepost 10.5); and (g) the end of track (milepost 4.0) and Lawsonham (milepost 6.0) (the lines). The lines are located in Armstrong, Cameron, Clarion, Clearfield, Elk, and Jefferson Counties, PA. BPRR is acquiring the lines in a related transaction concurrently filed in STB Finance Docket No. 34447, *Buffalo & Pittsburgh Railroad, Inc., Allegheny & Eastern Railroad, Inc., Pittsburgh & Shawmut Railroad, Inc., and Bradford Industrial Rail, Inc.—Corporate Family Transaction Exemption*, wherein PSRR and other subsidiaries will be merged into BPRR. The instant transaction contemplates that BPRR will retain the operating authority over the lines and P&S will have a residual common carrier obligation.

The transaction was expected to be consummated on January 1, 2004.

P&S certifies that its projected revenues as a result of this transaction will not result in the creation of a Class II or Class I rail carrier. It further certifies that its total annual revenues will not exceed \$5 million.

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. 34449, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Gollatz, Griffin & Ewing, P.C., Four Penn Center, Suite 200, 1600 John F. Kennedy Blvd., Philadelphia, PA 19103-2808.

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

Decided: January 15, 2004.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 04-1365 Filed 1-21-04; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Notice of Determination of Necessity for Renewal of the Art Advisory Panel

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

**ACTION:** Notice.

**SUMMARY:** It is in the public interest to continue the existence of the Art Advisory Panel. The current charter of the Art Advisory Panel will be renewed for a period of two years.

**FOR FURTHER INFORMATION CONTACT:**

Karen E. Carolan, C:AP:ART, 1099 14th Street, NW., Room 4200 E, Washington, DC 20005, Telephone Number (202) 694-1861, (not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. (2000), the Commissioner of Internal Revenue announces the renewal of the following advisory committee:

*Title.* The Art Advisory Panel of the Commissioner of Internal Revenue.

*Purpose.* The Panel assists the Internal Revenue Service by reviewing

and evaluating the acceptability of property appraisals submitted by taxpayers in support of the fair market value claimed on works of art involved in Federal Income, Estate or Gift taxes in accordance with sections 170, 2031, and 2512 of the Internal Revenue Code of 1986.

In order for the Panel to perform this function, Panel records and discussions must include tax return information. Therefore, the Panel meetings will be closed to the public since all portions of the meetings will concern matters that are exempted from disclosure under the provisions of section 552b(c)(3), (4), (6) and (7) of Title 5 of the U.S. Code. This determination, which is in accordance with section 10(d) of the Federal Advisory Committee Act, is necessary to protect the confidentiality of tax returns and return information as required by section 6103 of the Internal Revenue code.

*Statement of Public Interest.* It is in the public interest to continue the existence of the Art Advisory Panel. The Secretary of Treasury, with the concurrence of the General Services Administration, has also approved renewal of the Panel. The membership of the Panel is balanced between museum directors and curators, art dealers and auction representatives to afford differing points of view in determining fair market value.

Authority for this Panel will expire two years from the date the Charter is approved by the Assistant Secretary for Management and Chief Financial Officer and filed with the appropriate congressional committees unless, prior to the expiration of its Charter, the Panel is renewed.

The Commissioner of Internal Revenue has determined that this document is not a major rule as defined in Executive Order 12291 and that a regulatory impact analysis therefore is not required. Neither does this document constitute a rule subject to the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

**Mark W. Everson,**

*Commissioner of Internal Revenue.*

[FR Doc. 04-1367 Filed 1-21-04; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Open Meeting of the Joint Committee of the Taxpayer Advocacy Panel

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

**ACTION:** Notice.

**SUMMARY:** An open meeting of the Joint Committee of the Taxpayer Advocacy Panel will be conducted via teleconference.

**DATES:** The meeting will be held Tuesday, February 17, 2004, at 1:30 p.m., Eastern Standard Time.

**FOR FURTHER INFORMATION CONTACT:** Barbara Toy at 1-888-912-1227, or 414-297-1611.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Joint Committee of the Taxpayer Advocacy Panel (TAP) will be held Tuesday, February 17, 2004, from 1:30 to 3 p.m. Eastern standard time via a telephone conference call. If you would like to have the Joint Committee of TAP consider a written statement, please call 1-888-912-1227 or 414-297-1611, or write Barbara Toy, TAP Office, MS-1006-MIL, 310 West Wisconsin Avenue, Milwaukee, WI 53203-2221, or Fax to 414-297-1623. Due to limited conference lines, notification of intent to participate in the telephone conference call meeting must be made with Barbara Toy. Ms. Toy can be reached at 1-888-912-1227 or 414-297-1611, or Fax 414-297-1623.

The agenda will include the following: monthly committee summary report, discussion of issues brought to the joint committee, office report and discussion of next meeting.

Dated: January 15, 2004.

**Bernard Coston,**

*Director, Taxpayer Advocacy Panel.*

[FR Doc. 04-1368 Filed 1-21-04; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Open Meeting of the Area 3 Taxpayer Advocacy Panel (Including the States of Florida, Georgia, Alabama, Mississippi, Louisiana, Arkansas and Tennessee)

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

**ACTION:** Notice.

**SUMMARY:** An open meeting of the Area 3 Taxpayer Advocacy Panel will be conducted (via teleconference). The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.