

by the 10th day after the service date of the service-list notice); any comments, protests, requests for conditions, and any other evidence and argument in opposition to the primary application or either of the related filings (due by February 21); and any responses to comments, etc., and any rebuttal in support of the primary application or either of the related filings (due by March 8).

**Filing Requirements.** Any document filed in this proceeding must be filed either via the Board's e-filing format or in the traditional paper format. Any person e-filing a document should comply with the instructions found on the Board's Web site at <http://www.stb.dot.gov> at the "E-FILING" link. Any person filing a document in the traditional paper format should send an original and 10 paper copies of the document (and also an IBM-compatible floppy disk with any textual submission in any version of either Microsoft Word or WordPerfect) to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

**Service Requirements.** One copy of each document filed in this proceeding must be sent to each of the following (any copy may be sent by e-mail only if service by e-mail is acceptable to the recipient): (1) Secretary of the United States Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590; (2) Attorney General of the United States, c/o Assistant Attorney General, Antitrust Division, Room 3109, Department of Justice, Washington, DC 20530; (3) John Broadley (representing INRD), John H. Broadley & Associates, P.C., 1054 31st Street, NW., Suite 200, Washington, DC 20007; (4) Terence M. Hynes (representing Soo), Sidley Austin Brown & Wood, 1501 K Street, NW., Washington, DC 20005; and (5) any other person designated as a POR on the service-list notice.

**Service of Decisions, Orders, and Notices.** The Board will serve copies of its decisions, orders, and notices only on those persons who are designated on the official service list as either POR, MOC, or GOV. All other interested persons are encouraged either to secure copies of decisions, orders, and notices via the Board's Web site at <http://www.stb.dot.gov> under "E-LIBRARY/Decisions & Notices" or to make advance arrangements with the Board's copy contractor, ASAP Document Solutions (mailing address: Suite 103, 9332 Annapolis Rd., Lanham, MD 20706; e-mail address: [asapdc@verizon.net](mailto:asapdc@verizon.net); telephone number: 202-306-4004), to receive copies of decisions, orders, and notices served in this proceeding. ASAP Document

Solutions will handle the collection of charges and the mailing and/or faxing of decisions, orders, and notices to persons who request this service.

**Access to Filings.** An interested person does not need to be on the service list to obtain a copy of the primary application or any other filing made in this proceeding. Under the Board's rules, any document filed with the Board (including applications, pleadings, etc.) shall be promptly furnished to interested persons on request, unless subject to a protective order. 49 CFR 1180.4(a)(3). The public version of the primary application and other filings in this proceeding will also be available on the Board's Web site at <http://www.stb.dot.gov> under "E-LIBRARY/Filings."

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. The application in STB Finance Docket No. 34783 is accepted for consideration.
2. The parties to this proceeding must comply with the Procedural Schedule adopted by the Board in this proceeding as shown in Appendix A.
3. The parties to this proceeding must comply with the procedural requirements described in this decision.
4. This decision is effective on January 13, 2006.

Decided: January 9, 2006.

By the Board, Chairman Buttrey and Vice Chairman Mulvey.

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

#### Appendix A: Procedural Schedule

December 15, 2005—Application, motion for protective order, and request for issuance of procedural schedule filed.

December 22, 2005—Protective order issued.

January 13, 2006—Board notice of acceptance of application published in the **Federal Register**.

January 27, 2006—Notices of intent to participate in this proceeding due.

February 21, 2006—All comments, protests, requests for conditions, and any other evidence and argument in opposition to the primary application and/or either or both of the related filings, including filings of DOJ and DOT, due.

March 8, 2006—Responses to comments, protests, requests for conditions, and other opposition due. Rebuttal in support of the primary application and/or either or both of the related filings due.

Week of March 20, 2006—A public hearing or oral argument may be held.

April 24, 2006—Date of service of final decision.

May 24, 2006—Effective date of final decision.

[FR Doc. 06-337 Filed 1-12-06; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34765]

#### **Vicksburg Southern Railroad, Inc.— Lease and Operation Exemption—The Kansas City Southern Railway Company**

Vicksburg Southern Railroad, Inc. (VSOR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to lease from The Kansas City Southern Railway Company (KCS) and operate approximately 21.5 miles of rail line consisting of the following lines located in Mississippi: (1) KCS's Redwood Branch, which is located between milepost 21.9, at the end of the line near Redwood, MS, and milepost 218.0, north of KCS's Vicksburg Yard, at Vicksburg, MS, and includes track numbers 418, 419, 429, 430, 431, 432, and 433, and the locomotive facility buildings within the Vicksburg Yard; and (2) the branch line located between milepost 223.0, south of the connection with the KCS main line, and milepost 229.85, near Cedars, MS.

This transaction is related to STB Finance Docket No. 34766, *Watco Companies, Inc.—Continuance in Control Exemption—Vicksburg Southern Railroad, Inc.*, wherein Watco Companies, Inc., has filed a notice of exemption to continue in control of VSOR upon its becoming a Class III rail carrier.

VSOR certifies that its projected revenues as a result of the transaction will not result in VSOR's becoming a Class II or Class I rail carrier. VSOR also certifies that its projected annual revenues will not exceed \$5 million.

The transaction is expected to be consummated on or shortly after January 8, 2006.

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. 34765, 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 Karl Morell, Of Counsel, Ball Janik, LLP, 1455 F

Street, NW., Suite 225, Washington, DC 20005.

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

Decided: January 5, 2006.

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

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

[FR Doc. 06-236 Filed 1-12-06; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34766]

#### **Watco Companies, Inc.—Continuance in Control Exemption—Vicksburg Southern Railroad, Inc.**

Watco Companies, Inc. (Watco), has filed a verified notice of exemption to continue in control of Vicksburg Southern Railroad, Inc. (VSOR), upon VSOR's becoming a Class III rail carrier.<sup>1</sup>

The transaction is expected to be consummated on or shortly after January 8, 2006.

This transaction is related to a concurrently filed verified notice of exemption in STB Finance Docket No. 34765, *Vicksburg Southern Railroad, Inc.—Lease and Operation Exemption—The Kansas City Southern Railway Company*. In that proceeding, VSOR seeks to acquire by lease from The Kansas City Southern Railway Company and operate approximately 21.5 miles of rail line consisting of the following lines located in Mississippi: (1) KCS's Redwood Branch, which is located between milepost 21.9, at the end of the line near Redwood, MS, and milepost 218.0, north of KCS's Vicksburg Yard, at Vicksburg, MS, and includes track numbers 418, 419, 429, 430, 431, 432, and 433, and the locomotive facility buildings within the Vicksburg Yard; and (2) the branch line located between milepost 223.0, south of the connection with the KCS main line, and milepost 229.85, near Cedars, MS.

Watco, a Kansas corporation, is a noncarrier that currently controls 16 Class III rail carriers: South Kansas and Oklahoma Railroad Company (SKO), Palouse River & Coulee City Railroad, Inc. (PRCC), Timber Rock Railroad, Inc. (TIBR), Stillwater Central Railroad, Inc. (SLWC), Eastern Idaho Railroad, Inc. (EIRR), Kansas & Oklahoma Railroad, Inc. (K&O), Pennsylvania Southwestern

Railroad, Inc. (PSWR), Great Northwest Railroad, Inc. (GNR), Kaw River Railroad, Inc. (KRR), Mission Mountain Railroad, Inc. (MMT), Appalachian & Ohio Railroad, Inc. (AO), Mississippi Southern Railroad, Inc. (MSRR), Yellowstone Valley Railroad, Inc. (YVRR), Louisiana Southern Railroad, Inc. (LSRR), Arkansas Southern Railroad, Inc. (ARSR), and Alabama Southern Railroad, Inc. (ABS).<sup>2</sup>

Applicant states that: (1) The rail lines operated by SKO, PRCC, TIBR, SLWC, EIRR, K&O, PSWR, GNR, KRR, MMT, AO, MSRR, YVRR, LSRR, ARSR, and ABS do not connect with the rail lines being leased by VSOR; (2) the continuance in control is not part of a series of anticipated transactions that would connect the rail lines being leased by VSOR with any railroad in the Watco corporate family; and (3) neither VSOR nor any of the carriers controlled by Watco are Class I rail carriers. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2). The purpose of the transaction is to reduce overhead expenses, coordinate billing, maintenance, mechanical and personnel policies and practices of applicant's rail carrier subsidiaries, thereby improving the overall efficiency of rail service provided by the 17 railroads.

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. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

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. 34766, 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 Karl Morell, Of Counsel, Ball Janik LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

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

Decided: January 5, 2006.

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

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

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-1067 (Sub-No. 1X)]

#### **Iowa Northwestern Railroad—Abandonment Exemption—in Osceola and Dickinson Counties, IA**

On December 27, 2005, General Railway Corporation, d/b/a Iowa Northwestern Railroad (IANW) filed with the Board a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a line of railroad known as the Iowa Northwestern Railroad, extending from milepost 235.25 near Lake Park, IA, to the end of the line at milepost 252.3 near Allendorf, IA, a distance of 17.05 miles in Osceola and Dickinson Counties, IA (the line). The stations of Harris (MP 240.5), Ocheyedan (MP 246.0) and Allendorf (MP 251.8) are located on the line. The line traverses United States Postal Service Zip Codes 51249, 51347, 51345, and 51354.

The line does not contain federally granted rights-of-way. Any documentation in IANW's possession will be made available promptly to those requesting it.

IANW states that no railroad employees will be affected by this action. Nevertheless, to ensure that is the case, the interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by April 14, 2006.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after

<sup>1</sup> Watco owns 100% of the issued and outstanding stock of VSOR.

<sup>2</sup> SKO's lines are located in Missouri, Kansas, and Oklahoma; PRCC's lines are located in Washington, Oregon, and Idaho; TIBR's lines are located in Texas and Louisiana; SLWC's lines are located in Oklahoma; EIRR's lines are located in Idaho; K&O's lines are located in Kansas and Colorado; PSWR's line is located in Pennsylvania; GNR's lines are located in Idaho and Washington; KRR's lines are located in Kansas and Missouri; MMT's lines are located in Montana; AO's lines are located in West Virginia; MSRR's line is located in Mississippi; YVRR's lines are located in Montana; LSRR's lines are located in Louisiana; ARSR's lines are located in Arkansas; and ABS's lines are located in Mississippi and Alabama.