

sponsoring a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under § 3506(c)(2)(A) of the PRA, Federal agencies are required, prior to submitting a collection to OMB for approval, to provide a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: January 10, 2012.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2012-535 Filed 1-12-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35579]

#### **Watco Holdings, Inc.—Continuance in Control Exemption—Birmingham Terminal Railway, L.L.C.**

Watco Holdings, Inc. (Watco), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR 1180.2(d)(2) to continue in control of Birmingham Terminal Railway, L.L.C. (BHRR), upon BHRR's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in Docket No. FD 35578, *Birmingham Terminal Railway, L.L.C.—Acquisition and Operation Exemption—Birmingham Southern Railroad Company*, wherein BHRR seeks Board approval to acquire from Birmingham Southern Railroad Company and operate approximately 75.59 miles of rail line, including all sidings and yard tracks, in Ensley, East Thomas, Bessemer, Fairfield, and Birmingham, AL.

The parties intend to consummate the transaction on or shortly after January 31, 2012.

Watco is a Kansas corporation which currently controls, indirectly, 24 Class III railroads and 1 Class II railroad, operating in 18 States. Watco also owns, indirectly, 100 percent of the issued and outstanding stock of BHRR, a Delaware limited liability company.

Watco controls, through stock ownership and management, Class III railroads South Kansas and Oklahoma

Railroad, Inc., Palouse River & Coulee City Railroad, L.L.C., Timber Rock Railroad, L.L.C., Stillwater Central Railroad, L.L.C., Eastern Idaho Railroad, L.L.C., Kansas & Oklahoma Railroad, L.L.C., Pennsylvania Southwestern Railroad, L.L.C., Great Northwest Railroad, L.L.C., Kaw River Railroad, L.L.C., Mission Mountain Railroad, L.L.C., Mississippi Southern Railroad, L.L.C., Yellowstone Valley Railroad, L.L.C., Louisiana Southern Railroad, L.L.C., Arkansas Southern Railroad, L.L.C., Alabama Southern Railroad, L.L.C., Vicksburg Southern Railroad, L.L.C., Austin Western Railroad, L.L.C., Baton Rouge Southern Railroad, L.L.C., Pacific Sun Railroad, L.L.C., Grand Elk Railroad, Inc., Alabama Warrior Railway, L.L.C., Boise Valley Railroad, L.L.C., Autauga Northern Railroad, L.L.C., Swan Ranch Railroad, L.L.C., and Class II railroad Wisconsin & Southern Railroad, L.L.C.

Watco represents that: (1) The rail lines to be operated by BHRR do not connect with any other railroads in the corporate family; (2) the transaction is not part of a series of anticipated transactions that would connect the rail lines with any other railroads in the corporate family; and (3) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

Watco states that the purpose of the proposed transaction is to reduce overhead expenses, coordinate billing, maintenance, mechanical, and personnel policies and practices of its rail carrier subsidiaries, and thereby improve the overall efficiency of rail service provided by the railroads in the corporate family.

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 the control of one or more Class III rail carriers and one Class II rail carrier, the transaction is subject to the labor protective requirements of 49 U.S.C. 11326(b) and *Wisconsin Central Ltd.—Acquisition Exemption—Lines of Union Pacific Railroad*, 2 S.T.B. 218 (1997).

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 effectiveness of the exemption. Stay petitions must be filed no later than January 20, 2012 (at

least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35579, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Karl Morell, 655 Fifteenth Street NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at “[WWW.STB.DOT.GOV](http://WWW.STB.DOT.GOV).”

Decided: January 10, 2012.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Raina S. White,**  
Clearance Clerk.

[FR Doc. 2012-565 Filed 1-12-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

January 10, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before February 13, 2012 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW., Suite 11020, Washington, DC 20220, or on-line at [www.PRACOMMENT.gov](http://www.PRACOMMENT.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

### Internal Revenue Service (IRS)

OMB Number: 1545-0127.

Type of Review: Extension without change of a currently approved collection.

*Title:* U.S. Income Tax Return for Homeowners Associations.

*Form:* 1120-H.

*Abstract:* Homeowners associations file Form 1120-H to report income, deductions, and credits. The form is also used to report the income tax liability of the homeowners association. The IRS uses Form 1120-H to determine if the income, deductions, and credits have been correctly computed. The form is also used for statistical purposes.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 3,665,832.

*OMB Number:* 1545-0941.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Report of a Sale or Exchange of Certain Partnership Interests.

*Form:* 3808.

*Abstract:* Form 8308 is an information return that gives the IRS the names of the parties involved in a section 751(a) exchange of a partnership interest. It is also used by the partnership as a statement to the transferor or transferee. It alerts the transferor that a portion of the gain on the sale of partnership interest may be ordinary income.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 1,460,000.

*OMB Number:* 1545-1414.

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

*Title:* Credit for Employer Social Security and Medicare Taxes Paid on Certain Employee Tips.

*Form:* 8846.

*Abstract:* Employers in food or beverage establishments where tipping is customary can claim an income tax credit for the amount of social security and Medicare taxes paid (employer's share) on tips, other than tips used to meet the minimum wage requirement.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 161,448.

*OMB Number:* 1545-1487.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* TD 8834 (final)—Treatment of Distributions to Foreign Persons Under Sections 367(e)(1) and 367(e)(2).

*Abstract:* Sections 367(e)(1) and 367(e)(2) provide for gain recognition on certain transfers to foreign persons under sections 355 and 332. Section 6038B(a) requires U.S. persons transferring property to foreign persons

in exchanges described in sections 332 and 355 to furnish information regarding such transfers.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 2,471.

*OMB Number:* 1545-1657.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Revenue Procedure 99-32—Conforming Adjustments Subsequent to Section 482 Allocations.

*Abstract:* This revenue procedure prescribes the applicable procedures for the repatriation of cash by a United States taxpayer via an interest-bearing account receivable or payable in an amount corresponding to the amount allocated under section 482 from, or to a related person with respect to a controlled transaction.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 1,620.

*OMB Number:* 1545-1799.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Notice 2002-69, Interest Rates and Appropriate Foreign Loss Payment Patterns For Determining the Qualified Insurance Income of Certain Controlled Corporations under Section 954(f).

*Abstract:* This notice provide guidance on how to determine the foreign loss payment patterns of a foreign insurance company owned by U.S. shareholder for purposes of determining the amount of investment income earned by the insurance company that is not treated as Subpart F income under section 954(i).

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 300.

*OMB Number:* 1545-1942.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Notice 2005-44, Charitable Contributions of Certain Motor Vehicles, Boats, and Airplanes.

*Abstract:* The notice provides guidance under new Subsection 170(f)(12) and 6720 regarding how to determine the amount of a charitable contribution for certain vehicles and the related substantiation and information reporting requirements.

*Affected Public:* Individuals or Households.

*Estimated Total Burden Hours:* 3,041.

*OMB Number:* 1545-1950.

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

*Title:* Return by a Shareholder Making Certain Late Elections to End Treatment

as a Passive Foreign Investment Company.

*Form:* 8621-A.

*Abstract:* Form 8621-A is used by certain taxpayer/investors to request ending of their treatment as investing in a Passive Foreign Investment Company. New regulations are being written in support of the new products. The underlying law is in IRC sections 1297 and 1298.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 785.

*OMB Number:* 1545-2135.

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

*Title:* REG-133300-07 (TD 9447-final) Automatic Contribution Arrangements.

*Abstract:* These regulations provide a method by which an automatic contribution arrangement can become a qualified automatic contribution arrangement and automatically satisfy the ADP test of section 401(k)(3)(A)(ii). These regulations also describe how an automatic contribution arrangement can become an eligible automatic contribution arrangement and employees can get back mistaken contributions.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 30,000.

**Dawn D. Wolfgang,**

*Treasury PRA Clearance Officer.*

[FR Doc. 2012-536 Filed 1-12-12; 8:45 am]

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