

allowing just 10 days for comment in order to expedite resolution of this matter. All comments and supporting materials received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice of the decision will be published in the **Federal Register** pursuant to the authority indicated below.

*Comment closing date:* December 10, 2007.

**Authority:** 49 U.S.C. 30118, 30120; delegations of authority at CFR 1.50 and 501.8.

Issued on: November 2, 2007.

**Daniel C. Smith**

*Associate Administrator for Enforcement.*

[FR Doc. E7-21903 Filed 11-7-07; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Office of Hazardous Materials Safety; Notice of Delays in Processing of Special Permits Applications

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** List of Applications Delayed more than 180 days.

**SUMMARY:** In accordance with the requirements of 49 U.S.C. 5117(c), PHMSA is publishing the following list of special permit applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified application.

**FOR FURTHER INFORMATION CONTACT:** Delmer F. Billings, Director, Office of Hazardous Materials Special Permits and Approvals, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East

Building, PHH-30, 1200 New Jersey Avenue, Southeast, Washington, DC 20590-0001, (202) 366-4535.

#### Key to "Reason for Delay"

1. Awaiting additional information from applicant.
2. Extensive public comment under review.
3. Application is technically complex and is of significant impact or precedent-setting and requires extensive analysis.
4. Staff review delayed by other priority issues or volume of special permit applications.

#### Meaning of Application Number Suffixes

- N—New application.  
M—Modification request.  
PM—Party to application with modification request.

Issued in Washington, DC, on October 31, 2007.

**Delmer F. Billings,**

*Director, Office of Hazardous Materials, Special Permits and Approvals.*

| Application No.                        | Applicant   | Reason for delay | Estimated date of completion |
|--|---|------------------|------------------------------|
| <b>Modification to Special Permits</b> |   |                  |                              |
| 10481-M .....                          | M-1 Engineering Limited, Bradford, West Yorkshire .....       | 4                | 11-30-2007                   |
| 11579-M .....                          | Austin Powder Company, Cleveland, OH .....                    | 1                | 12-31-2007                   |
| <b>New Special Permit Applications</b> |   |                  |                              |
| 14385-N .....                          | Kansas City Southern Railway Company, Kansas City, MO .....   | 4                | 11-30-2007                   |
| 14402-N .....                          | Lincoln Composites, Lincoln, NE .....                         | 1                | 12-31-2007                   |
| 14436-N .....                          | BNSF Railway Company, Topeka, KS .....                        | 4                | 11-30-2007                   |
| 14500-N .....                          | Northwest Respiratory Services, St. Paul, MN .....            | 4                | 11-30-2007                   |
| 14504-N .....                          | Medis Technologies Ltd., New York, NY .....                   | 1                | 11-30-2007                   |
| 14507-N .....                          | Gulf Coast Hydrostatic Testers, LLC, Denham Springs, LA ..... | 4                | 11-30-2007                   |
| 14508-N .....                          | Gulf Coast Hydrostatic Testers, LLC, Denham Springs, LA ..... | 4                | 11-30-2007                   |

[FR Doc. 07-5575 Filed 11-7-07; 8:45 am]

**BILLING CODE 4910-60-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35081]

#### Canadian Pacific Railway Company, et al.—Control—Dakota, Minnesota, & Eastern Railroad Corp., et al.

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Decision No. 2 in STB Finance Docket No. 35081; Notice of Receipt of Prefiling Notification.

**SUMMARY:** The Surface Transportation Board (Board) has reviewed the

submission filed October 5, 2007, by Canadian Pacific Railway Corporation (CPRC), Soo Line Holding Company, a Delaware Corporation and indirect subsidiary of CPRC (Soo Holding), Dakota, Minnesota & Eastern Railroad Corporation (DM&E), and Iowa, Chicago & Eastern Railroad Corporation, a wholly owned rail subsidiary of DM&E (IC&E). The submission is styled as an application seeking Board approval under 49 U.S.C. 11321-26 of the acquisition of control of DM&E and IC&E by Soo Holding (and, indirectly, by CPRC). This proposal is referred to as the "transaction," and, for ease, CPRC, Soo Holding, DM&E, and IC&E are referred to collectively as "Applicants."

The Board finds that the transaction would be a "significant transaction"

under 49 CFR 1180.2(b). The Board's rules at 49 CFR 1180.4(b) require that applicants give notice 2 to 4 months prior to the filing of an application in a "significant" transaction. Because Applicants did not file the required prefiling notification before their October 5 submission seeking Board approval of this "significant" transaction, and did not pay the filing fee for a "significant" transaction, their submission cannot be treated as an application at this time. The Board will, however, consider the October 5 submission a prefiling notification and publish notice of it in the **Federal Register**, which has the effect of permitting Applicants to perfect their application, and provide any