

SUPPLEMENTARY INFORMATION: The Board will hold a public hearing to provide a forum for the expression of views on the impact, effectiveness, and future of the Staggers Act. Interested persons, including large and small rail customers, large and small railroad companies, representatives of local communities, and State and Federal government officials, are invited to participate. The hearing is not intended to offer a forum for discussion of pending cases, but rather is intended as an opportunity for interested persons to address broader issues regarding the Staggers Act generally.

Date of Hearing. The hearing will begin at 10 am on Wednesday, October 19, 2005, in the 7th floor hearing room at the Board's headquarters in Washington, DC, and will continue, with short breaks if necessary, until every person scheduled to speak has been heard.

Notice of Intent To Participate. Any person wishing to speak at the hearing should file with the Board a written notice of intent to participate, and should identify the party, the proposed speaker, the time requested, and topic(s) to be covered, as soon as possible, but no later than October 7, 2005.

Testimony. Each speaker should file with the Board his/her written testimony by October 12, 2005. Also, any interested person who wishes to submit a written statement without appearing at the October 19 hearing should file that statement by October 12, 2005.

Board Releases and Live Audio Available Via the Internet. Decisions and notices of the Board, including this notice, are available on the Board's Web site at "<http://www.stb.dot.gov>." This hearing will be available on the Board's Web site by live audio streaming. To access the hearing, click on the "Live Audio" link under "Information Center" at the left side of the Home page beginning at 10 a.m. on October 19, 2005.

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

Dated: September 14, 2005.

Vernon A. Williams,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-43 (Sub-No. 176X)]

Illinois Central Railroad Company— Abandonment Exemption—in Rankin County, MS

Illinois Central Railroad Company (IC) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 1.52-mile line of railroad, on its Flowood Trackage, between milepost 70.20 and milepost 71.72, in Flowood, Rankin County, MS. The line traverses United States Postal Service Zip Code 39232.

IC has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on October 20, 2005, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each OFA must be accompanied by the filing fee, which currently is set at \$1,200. See 49 CFR 1002.2(f)(25).

trail use/rail banking requests under 49 CFR 1152.29 must be filed by September 30, 2005. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 11, 2005, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to IC's representative: Michael J. Barron, Jr., Illinois Central Railroad Company, c/o CN, 17641 S. Ashland Avenue, Homewood, IL 60430.

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

IC has filed environmental and historic reports which address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by September 23, 2005. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), IC shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by IC's filing of a notice of consummation by September 20, 2006, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

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

Decided: September 14, 2005.

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

Vernon A. Williams,
Secretary.

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