

\$250 filing fee. *See* 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to Docket No. AB 1087 (Sub-No. 1X), and must be sent to: (1) Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001; and (2) Fritz R. Kahn, Fritz R. Kahn, P.C., 1919 M Street NW. (7th Floor), Washington, DC 20036. Replies to the petition are due on or before January 27, 2014.<sup>2</sup>

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Assistance, Governmental Affairs and Compliance at (202) 245-0238 or refer to the full abandonment or discontinuance regulations at 49 CFR pt. 1152. Questions concerning environmental issues may be directed to the Board's Office of Environmental Analysis (OEA) at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by OEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact OEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA generally will be within 30 days of its service.

Board decisions and notices are available on our Web site at "www.stb.dot.gov."

Decided: December 30, 2013.

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

**Derrick A. Gardner,**  
Clearance Clerk.

[FR Doc. 2013-31509 Filed 1-3-14; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. EP 552 (Sub-No. 17)]

#### Railroad Revenue Adequacy—2012 Determination

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

**ACTION:** Notice of updated decision.

<sup>2</sup> On December 27, 2013, Robert Riley filed a motion to reject the petition. Riley's motion will be addressed in a separate Board decision.

**SUMMARY:** On January 2, 2014, the Board served an updated decision announcing the 2012 revenue adequacy determinations for the Nation's Class I railroads, taking into account BNSF Railway Company's refiled R-1 report for 2012. Three carriers, BNSF Railway Company, Norfolk Southern Combined Railroad Subsidiaries, and Union Pacific Railroad Company, were found to be revenue adequate.

**DATES:** *Effective Date:* This decision is effective on January 2, 2014.

**FOR FURTHER INFORMATION CONTACT:** Paul Aguiar, (202) 245-0323. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** The Board is required to make an annual determination of railroad revenue adequacy. A railroad is considered revenue adequate under 49 U.S.C. 10704(a) if it achieves a rate of return on net investment (ROI) equal to at least the current cost of capital for the railroad industry for 2012, determined to be 11.12% in *Railroad Cost of Capital—2012*, EP 558 (Sub-No. 16) (STB served Aug. 30, 2013). This revenue adequacy standard was applied to each Class I railroad. Three carriers, BNSF Railway Company (BNSF), Norfolk Southern Combined Railroad Subsidiaries, and Union Pacific Railroad Company, were found to be revenue adequate for 2012.<sup>1</sup>

The decision in this proceeding is posted on the Board's Web site at [www.stb.dot.gov](http://www.stb.dot.gov). Copies of the decision may be purchased by contacting the Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Assistance for the hearing impaired is available through FIRS at (800) 877-8339.

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

Decided: December 31, 2013.

By the Board, Chairman Elliott, Vice Chairman Begeman, and Commissioner Mulvey.

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2013-31572 Filed 1-3-14; 8:45 am]

**BILLING CODE 4915-01-P**

<sup>1</sup> The Board determined the revenue adequacy for 2012 of each Class I railroad except BNSF in a decision served in this docket on October 17, 2013. Now that BNSF has refiled its R-1 reports for 2010-2012 in compliance with the Board's order in *Western Coal Traffic League—Petition for Declaratory Order*, FD 35506 (STB served July 25, 2013), the Board's January 2, 2014 decision reflects that filing and includes a determination of BNSF's revenue adequacy for 2012. The October 17, 2013 decision remains unchanged in all other respects.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. EP 552 (Sub-No. 15)]

#### Railroad Revenue Adequacy—2010 Determination

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

**ACTION:** Notice of updated decision.

**SUMMARY:** On January 2, 2014, the Board served an updated decision announcing the 2010 revenue adequacy determinations for the Nation's Class I railroads, taking into account BNSF Railway Company's refiled R-1 report for 2010. One carrier, Union Pacific Railroad Company, was found to be revenue adequate.

**DATES:** *Effective Date:* This decision is effective on January 2, 2014.

**FOR FURTHER INFORMATION CONTACT:** Paul Aguiar, (202) 245-0323. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** The Board is required to make an annual determination of railroad revenue adequacy. A railroad is considered revenue adequate under 49 U.S.C. 10704(a) if it achieves a rate of return on net investment (ROI) equal to at least the current cost of capital for the railroad industry for 2010, determined to be 11.03% in *Railroad Cost of Capital—2010*, EP 558 (Sub-No. 14) (STB served Oct. 3, 2011). This revenue adequacy standard was applied to each Class I railroad. One carrier, Union Pacific Railroad Company, was found to be revenue adequate for 2010.<sup>1</sup>

The decision in this proceeding is posted on the Board's Web site at [www.stb.dot.gov](http://www.stb.dot.gov). Copies of the decision may be purchased by contacting the Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Assistance for the hearing impaired is available through FIRS at (800) 877-8339.

This action will not significantly affect either the quality of the human

<sup>1</sup> The Board determined the revenue adequacy for 2010 of each Class I railroad in a previous decision served in this docket on November 3, 2011. Now that BNSF Railway Company has refiled its R-1 reports for 2010-2012 in compliance with *Western Coal Traffic League—Petition for Declaratory Order*, FD 35506 (served July 25, 2013), the Board's January 2, 2014 decision reflects that filing and includes a revised determination of BNSF's revenue adequacy for 2010. The January 2, 2014 decision also replaces the name "Norfolk Southern Railway Company" with "Norfolk Southern Combined Railroad Subsidiaries" and adds a footnote to accompany that change. The November 3, 2011 decision remains unchanged in all other aspects.