

EFFECTIVE DATE: The proposed productivity adjustment is effective 30 days after the date of service.

ADDRESSES: Send comments (an original and 10 copies) referring to STB Ex Parte No. 290 (Sub-No. 4) to: Office of the Secretary, Case Control Branch, 1925 K Street, NW., Washington, DC 20423-0001. Parties should submit all pleading and attachments on a 3.5-inch diskette in WordPerfect 6.0 or 6.1 compatible format.

FOR FURTHER INFORMATION CONTACT: H. Jeff Warren, (202) 565-1533. Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision, which is available on our Web site <http://www.stb.dot.gov>. To purchase a copy of the full decision, write to, call, or pick up in person from the Board's contractor, ASAP Document Solutions, Suite 405, 1925 K Street, NW., Washington, DC 20006, phone (202) 293-7878. [Assistance for the hearing impaired is available through FIRS: 1-800-877-8339.]

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

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: January 6, 2004.

By the Board, Chairman Nober.

Vernon A. Williams,
Secretary.

[FR Doc. 04-547 Filed 1-9-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket Nos. AB-855 (Sub-No. 1X), and AB-847 (Sub-No. 2X)]

A & R Line, Inc.—Abandonment Exemption—in Cass and Pulaski Counties, IN; Toledo, Peoria & Western Railway Corporation—Discontinuance of Service, Exemption—in Cass and Pulaski Counties, IN

AGENCY: Surface Transportation Board.

ACTION: Notice to the Parties.

SUMMARY: The Surface Transportation Board's Section of Environmental Analysis is correcting the environmental assessment (EA) served on September 29, 2003. The correct length of the line sought to be abandoned and discontinued is 21 miles. All other

information in the EA remains unchanged.

FOR FURTHER INFORMATION CONTACT: Kenneth Blodgett, (202) 565-1554. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: On September 29, 2003, the section of Environmental Analysis (SEA) served an environmental assessment (EA), which described the length of the line sought to be abandoned and discontinued as 15.9 miles. On December 23, 2003, Counsel for A&R Line, Inc., and the Toledo, Peoria & Western Railway Corporation (carriers) filed a "Motion to Amend the Pleadings and Decisions and Hold Offer of Financial Assistance Process in Abeyance."¹ Included in the motion was a request for the Board to amend the pleadings and decisions to reflect the correct length of the line as 21 miles. According to the carriers, the pleadings contained incorrect information pertaining to the total mileage involved in this proceeding, and this misstatement of the mileage occurred because there are currently two milepost designations, Milepost 5.1W and Milepost 0.0, for the same location. Therefore, the EA should have stated that the line runs from Milepost 0.0, near Kenneth, to Milepost 21.0W, near Winamac, for a total distance of 21 miles. SEA considered the impact that the abandonment and discontinuance would have on the area between Kenneth and Winamac, which covered the full 21 miles of the line. Therefore, all other information in the EA remains unchanged.

Please correct your copies accordingly.

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

Decided: January 6, 2004.

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-43 (Sub-No. 175X)]

Illinois Central Railroad Company—Abandonment Exemption—in Mobile County, AL

Illinois Central Railroad Company (IC) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 1.03-mile line of railroad between milepost 3.67 and milepost 4.7 in Prichard, Mobile County, AL. The line traverses United States Postal Service Zip Code 36610.

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 (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 February 11, 2004, 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 rail use/rail banking requests under 49 CFR

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 \$1,100. See 49 CFR 1002.2(f)(25).

¹ The Board is currently considering the motion.